on Medical Certificate, under the Rules applicable to Military Officers in Civil employ, together with the usual preparatory leave to enable him to reach the port of embarkation, is granted to Assistant Surgeon W. Watson, M. B., Civil Assistant Surgeon of Banda, from the 14th February 1863, or from the subsequent date on which he may avail himself of the same.

With the consent of the Officer Commanding the Station Surgeon-Major W. Keates, of the 7th Regiment Native Infantry, will take Medical charge of Banda with effect from the date on which he may receive the same from Dr. Watson.

No. 801A.—The under-mentioned gentlemen are appointed to be Members of the Dispensary Committee at Futtehpoor:—

Mr. J. W. Quinton, Officiating Joint Magistrate and Deputy Collector.

Mr. P. Whalley, Assistant to the Magistrate and Collector.

No. 805A.—The following Notification issued by the Government of India, in the Home Department, No. 9, dated 19th February 1863, is re-published for general information:—

No. 9, dated Camp Roonkoola, the 19th February 1863.—The Hon'ble George F. Edmonstone has obtained permission from His Excellency the Viceroy and Governor General to resign, from the 1st proximo, the office of Lieutenant-Governor of the North-Western Provinces, and His Excellency the Governor General is pleased to direct, as a mark of respect due to the character and services of Mr. Edmonstone, that all the Honors and Distinctions to which he is now entitled as Lieutenant-Governor of the North-Western Provinces shall be continued to him until the period of his embarkation for Europe.

By Order of His Excellency the Viceroy and General General of India,

(Signed) H. M. DURAND, *Col.*,
Secy. to the Govt. of India, with the Governor General.

In accordance with the above Notification, and with the permission of the Hon'ble the President in Council, the Hon'ble G. F. Edmonstone has this day, in anticipation of the arrival of his successor, left Allahabad under the Salute due to his rank, having made over charge of the current duties of the office of the Lieutenant-Governor of the North-Western Provinces to the Officiating Secretary to Government for the time being.

No. 812A.—Under Section XIV., Clause 2 of the Civil Service Absentee Rules, the Hon'ble the Lieutenant-Governor has been pleased to grant fourteen days' leave of absence to Mr. E. S. Robertson, late Assistant Magistrate and Collector of Cawnpore, to enable him to rejoin his appointment upon his return from the leave on private affairs granted to him under the Orders of this Government No. 1804A., dated 7th July 1862.

FINANCIAL DEPARTMENT.—No. 324A.—*Allahabad, the 27th February* 1863.—The following Circular issued by the Government of India, in the Financial Department, No. 188A., dated 31st January last, containing instructions regarding the Budget system, is published for the information and guidance of all Officers concerned:—

Circular.

No. 188A., Fort William, the 31st January 1863.—Propositions having recently been submitted to Government in this Department for charging certain items of expenditure under Debt, in order to exhibit against them the receipts from which they are met, His Excellency the Governor General in Council desires it to be understood that two of the most important objects of the Budget system are—

1*st.*—To exhibit once in every year a complete Statement of the public income and expenditure, and

2*nd.*—To subject the whole of that income and expenditure to a thorough revision once in every year, and that neither of these objects can be attained by crediting receipts by deduction, and charging expenditure against special receipts. Further, this practice involves a degree of concealment which is quite incompatible with financial lucidity and control.

2. Funds which have been appropriated to be managed at the discretion of local Authorities for local purposes, in other words, what are technically called "Local Funds," do not, of course, come under this rule; but the entire *Public* income and expenditure, that is, all receipts and disbursements appertaining to the *Fisc*, must be shewn *without deduction* on their respective sides of the annual Estimates and Accounts.

3. The Estimates for 1863-64 should, as far as possible, be brought into conformity with this principle, and in this view the Officers of the Audit Department will, as early as convenient, submit a Return of any estimated gross receipts and charges hitherto kept under "Debt," of which the net result only may have been shewn in the Budget Estimate for 1863-64; the necessary additions to the Budget can then be made in this Office.

By Order of the Hon'ble the Lieutenant-Governor of the North-Western Provinces,

J. D. SANDFORD,
Offg. Secy. to Govt., N. W. P.

ORDERS by the LIEUTENANT-GOVERNOR, Punjab Provinces

GENERAL DEPARTMENT.—*The 23rd February* 1863.—No. 429.—The services of the Reverend A. Horsburgh, Chaplain of Peshawur, are placed at the disposal of the Government, North-Western Provinces.

Appointment.—No. 430.—The Reverend D. Bellamy to be Chaplain of Peshawur in succession to Mr. Horsburgh.

The 24th February 1863.—No. 441.—The following extract from Lahore Division Orders is confirmed:—

Extract from Lahore Division Orders issued by Major-General A. T. Cunynghame, C. B.

Mean Meer, 18th February 1863.

No. 45.—The services of Captain E. H. D. Macpherson, 93rd Highlanders, are placed at the disposal of the Punjab Government, as a temporary arrangement, for employment as Cantonment Joint Magistrate at Sealkote.

The 27th February 1863.—*Appointment.*—No. 459.—The Reverend J. P. Harris to be Chaplain of Umritsur.

T. D. FORSYTH,
Offg. Secy. to Govt., Punjab.

Opium Notification.

NOTICE is hereby given, that the Fourth sale of Opium, the provision of 1861-62, will be held at the Exchange Hall on Monday, the 6th of April 1863, at 11 A. M., and will comprise 3,300 Chests, *viz.*,—

Behar Opium	...	1,860
Benares Opium	...	1,440
Total Chests	...	3,300

2. The general Conditions of the sale now advertized will be the same as usual. They may be ascertained by reference to the Notification issued on the 8th November 1862 and published in the *Government* and *Exchange Gazettes*, or on application at the Office of the Board of Revenue.

3. The latest dates for deposit and clearance will be the 11th and 21st April 1863 respectively, that is to say, no Bank of Bengal Receipts, Company's Paper, or other Public Securities that may be tendered for deposit in redemption of Promissory Notes given by Purchasers in the Sale Room, will be received after 4 P. M. of Saturday, the 11th April 1863, and no Bank of Bengal Receipts in full payment of Lots will be accepted after 4 P. M. of Tuesday, the 21st April 1863.

4. In addition to the quantity above advertized for sale, the following quantities, more or less, of Behar and Benares Opium of 1861-62 will be brought to sale, in the present year, on or about the dates specified below. The Board, however, reserve to themselves the right of altering these dates should circumstances render it expedient to do so:—

	Behar about Chests.	Benares about Chests.	Total about Chests.
On or about Wednesday, 6th May 1863	1,860	1,440	3,300
Ditto Monday 8th June „	1,860	1,440	3,300
Ditto Thursday, 9th July „	1,860	1,440	3,300
Ditto Monday, 10th Aug. „	1,860	1,440	3,300
Ditto Monday, 7th Sept. „	1,860	1,440	3,300
Ditto Monday, 5th Oct. „	1,860	1,440	3,300
Ditto Monday, 9th Nov. „	1,860	1,440	3,300
Ditto Monday, 7th Dec. „	1,853	1,464	3,317
Total ...	14,873	11,544	26,417

By Order of the Board of Revenue,

J. P. GRANT,
Offg. Junior Secretary.

The 3rd March 1863.

No. 110.

Notice

Is hereby given, that the *sale* of Government *Opium* advertized to take place on Friday, the 6th of March next, is *postponed* until Tuesday, the 10th March 1863.

Opium.

By Order of the Board of Revenue,

J. P. GRANT,
Officiating Junior Secretary.

FORT WILLIAM,
The 25th February 1863.

Opium Notification.

NOTICE is hereby given, that the third sale of Opium, the provision of 1861-62, will be held at the Exchange Hall on Tuesday, the 10th of March 1863, at 11 A. M., and will comprize 3,300 Chests, *viz.*,—

Behar Opium	...	1,860
Benares Opium	...	1,440
Total Chests	...	3,300

2. The general Conditions of the sale now advertized will be the same as usual; they may be ascertained by reference to the Notification issued on the 8th November 1862, and published in the *Government* and *Exchange Gazettes*, or on application at the Office of the Board of Revenue.

3. The latest dates for deposit and clearance will be the 16th (the 15th being Sunday) and 25th March 1863 respectively, that is to say, no Bank of Bengal Receipts, Company's Paper, or other Public Securities that may be tendered for deposit in redemption of Promissory Notes given by Purchasers in the Sale Room will be received after 4 P. M. of Monday, the 16th March 1863, and no Bank of Bengal Receipts in full payment of lots will be accepted after 4 P. M. of Wednesday, the 25th March 1863.

4. In addition to the quantity above advertized for sale the following quantities, more or less, of Behar and Benares Opium of 1861-62, will be brought to sale in the present year on or about the dates specified below. The Board, however, reserve to themselves the right of altering these dates should circumstances render it expedient to do so:—

	Behar about Chests.	Benares about Chests.	Total about Chests.
On or about Monday, 6th April 1863	1,860	1,440	3,300
„ Wednesday, 6th May „	1,860	1,440	3,300
„ Monday, 8th June „	1,860	1,440	3,300
„ Thursday, 9th July „	1,860	1,440	3,300
„ Monday, 10th Aug. „	1,860	1,440	3,300
„ Monday, 7th Sept. „	1,860	1,440	3,300
„ Thursday, 1st Oct. „	1,860	1,440	3,300
„ Monday, 2nd Nov. „	1,860	1,440	3,300
„ Monday, 7th Dec. „	1,853	1,464	3,317
Total ...	16,733	12,984	29,717

By Order of the Board of Revenue,

J. P. GRANT,
Offg. Junior Secretary.

FORT WILLIAM,
The 3rd February 1863.

NOTICE.

THE TRADE RETURNS of the Port of Calcutta, for the MONTHS ended 31st AUGUST and 30TH SEPTEMBER 1862, may be had at Rupees 4 per copy, on application at the *Calcutta Gazette* Office.

The 17th February 1863.

Orders by the Vice-Chancellor and Syndicate of the Calcutta University.

26. A SPECIAL Meeting of the Senate will be held at the Town Hall on Monday, the 16th of March, at 4 P. M., for conferring Degrees.

27. Graduates and Under-Graduates of this University who wish to be present must apply for Tickets at the University Office.

28. Graduates and Licentiates must appear in their proper Academic costume.

29. The undermentioned Candidates are added to the List of successful Candidates for the Degree of Bachelor of Arts, published as per Order No. 25 in the *Gazette* of the 18th instant, page 569:—

SECOND DIVISION.

In alphabetical order.

Anuntoram Ghose	... Presidency College.
Deno Nauth Mookerjee	... Teacher, Jonye School.
Koylas Chunder Mookerjee	Presidency College.
Phillips, A.	... Teacher, La Martiniere College.
Roby Chunder Gangooly	... Presidency College.
Romesh Chunder Bose	... Ditto ditto.
Shoshe Bhoosun Mookerjee	.. Ditto ditto.

J. RICHARDS, M. A.,
Offg. Registrar.

The 2nd March 1863.

Notification.

GOVERNMENT having sanctioned in the First Department (Native), Thomason College, the conversion, as an experiment, of the 10th Stipends, at 30 Rupees per mensem each, into 6 at Rupees 50 each, it is hereby notified that an Examination will be held about the month of September for such Candidates, inhabitants of the Upper Provinces, as may present themselves. Intimation of the precise date will be supplied hereafter.

J. G. MEDLEY, *Major*,
Principal, Thomason College.

THOMASON COLLEGE;
ROORKEE,
The 14th January 1863.

Lectures on Geology.

"UNDER orders from Government, and with the permission of the Asiatic Society, Mr. Henry F. Blanford will deliver a course of twelve Lectures on Geology at the Asiatic Society's Museum, No. 1, Park Street.

An introductory Lecture will be read on Monday, the 16th instant, at ½ past 4 P. M., and a Lecture will be deliverd on each successive Monday at the same hour until the conclusion of the course.

Terms of admission, 10 Rupees for the course. Application or Tickets to be made at the Society's Rooms between the hours of 10 A. M. and 4 P. M."

W. S. ATKINSON,
Director of Public Instruction.

FORT WILLIAM,
The 6th March 1863.

Notice.

No. 12 OF 1862-63.

IT is intended about the 15th of April next to hold, at the Government Timber Depôt, Rangoon, a sale of about 8,000 logs of Teak Timber. Further particulars will appear hereafter.

By Order of the Officiating Conservator of Forests, British Burmah,

A. S. MACDONALD,
Asst. Conservator of Forests, Rangoon.

OFFICE OF THE ASSISTANT CONSERVATOR OF FORESTS;
Rangoon,
The 13th February 1863.

Registration of Carts and Hackeries, &c.

ACT XXVIII. OF 1856.

WITH reference to Section XVIII. of Act XXVIII. of 1856, notice is hereby given, that all Carriages, Carts, and Hackeries, of the several descriptions mentioned below, are required to be registered in the Office of the Municipal Commissioners, and whoever, after the 7th March 1863, keeps any such vehicle without being so registered renders himself liable to a fine of 10 Rupees.

Every four-wheel Carriages on springs drawn by one Horse or Pony, or pair of Ponies, under 13 hands in height, and every four-wheel Carriage without springs.	Kept and let out for hire within the Town of Calcutta.

Every Cart and Hackery kept and used within the Town of Calcutta.

A fee of four annas will be charged for each registry of every Cart and Hackery plying for hire within the Town of Calcutta, or let for hire, and used within the Town of Calcutta and kept at any place beyond the limits thereof.

By Order of the Municipal Commissioners,

R. TURNBULL,
Secy. to the Municipal Commissioners.

MUNICIPAL COMMR.'S OFFICE,
1, *Chowringhee Road,*
The 23rd February 1863.

Sheriff's Office, the 18th February 1863.

NOTICE is hereby given, that a Sessions of Oyer and Terminer and Gaol Delivery, and also an Admiralty Sessions, will be holden by the High Court of Judicature at Fort William in Bengal for the Town of Calcutta and Factory of Fort William, and the places subordinate thereto, at the Court House, in the Town of Calcutta, on Tuesday, the Tenth day of March next, at 12 o'clock at noon.

The Court will open on the first day of the Sessions at 12 o'clock at noon, and upon each succeeding day precisely at 11 o'clock in the forenoon, of which all persons are required to take notice.

S. GLADSTONE,
Sheriff.

সরিফ আফিস, ১৮ ফেবরিউয়ারি সন ১৮৬৩ সাল।

সমাচার দেওয়া যাইতেছে যে আগামি ১০ মার্চ ১৮৬৩ শাল মঙ্গলবার দুইপ্রহরের সময় কলিকাতার ফৌট উইলিএমের এবং তাহার অন্তঃপাতি যে সকল স্থান তন্নিমিত্ত বঙ্গ দেশের ফৌট উইলিএমের হাই কোট আপন আদালত ঘরে ওয়েরটারমিনের এবং এডমিরেলটি অথাৎ মহা সমুদ্র সম্পকীয় মোকর্দ্দমা নিষ্পত্তি জন্য এক সেশিয়ান অথাৎ মিছিল করিবেন।

এই সেশিয়ান যতকাল পর্য্যন্ত বসিবেক তাহার প্রথম দিবস দই প্রহরের সময় তাহার পর প্রতি দিবস এগারো ঘণ্টার সময় বসিবেক এবিসয় সকলে স্মরণ রাখন।

S. GLADSTONE,
Sheriff.

Notice

Is hereby given, that the Titalyah Annual Fair, in Zillah Rungpore, will commence on the 1st March 1863.

V. T. TAYLOR,
Offg. Magistrate.

RUNGPORE,
The 2nd January 1863.

Notice.

UNDER Section 54, Act VIII. of 1855, the Effects of the late MR. D. CRAWFORD, Assistant Engineer, Second Division, Lahore and Peshawur Road, have been placed under the Seal of this Court pending receipt of instructions from the Administrator General. Parties indebted to, or having claims against the Estate, are requested to communicate with the undersigned within one month from this date.

GEO. D. WESTROPP,
Extra Asstt. Commissioner.

RAWUL PINDEE;
Depy. Commissioner's Office,
The 9th February 1863.

Notice.

SEALED TENDERS will be received by the Secretary to the Chief Commissioner up to the 3rd April 1863, and opened by him at his Office on that day in the presence of all parties who may choose to attend, or their Agents, for the supply, by contract, of printed and lithographed English and Vernacular Forms for the year 1863-64.

The Tenders must be accompanied by specimens of paper and printing, and be superscribed with the words "*Tenders for Printing,*" but must not have the name of the Tenderer written on the envelope.

It will not be obligatory on the Secretary to accept the lowest Tender unless he is satisfied with the specimen of materials and workmanship and the ability of Tenderer to fulfil his engagement. The Forms must be delivered at Lucknow free of all charges on and after the 1st May next, but they will be rejected if not equal to the specimen. In case of failure to furnish them when required they will be obtained elsewhere.

No payment in advance will be made.

The Forms are in English and Vernacular, the former are on

Foolscap paper of 1 sheet.
½ ,,
¼ ,,
⅛ ,,

and the latter on

Serampore of the above sizes, and 1 sheet Bengal paper.

Intending Tenderers may get a list of the Form and full particulars from the Secretary's Office

J. REID,
Secy. to the Chief Comr., Oudh.

LUCKNOW,
The 24th February 1863.

No. 69.

Commissariat Notice.

SEALED Tenders will be received by the Commissariat Officer at No. 6, Park Street, up to 2 o'clock P. M. of the 6th April 1863, and opened there at noon on the day following in the presence of attending parties, for the supply of the Articles specified in the subjoined Schedule.

2. Form of Tender will be supplied by the undersigned on application.

3. Tender to be superscribed—"Tender for Coffee."

4. Tenders will not be received after the hour fixed.

5. Tendering parties will be required to offer for all the Coffee needed.

6. Tendering parties must lodge with their Tenders the requisite Security by Bank of Bengal Receipt or Government Promissory Note.

SCHEDULE.

NAME OF ARTICLE.	Aggregate Quantity required.	Where and to whom deliverable.	Instalments deliverable and specification of delivery.	Earnest Money to be lodged with Tender.	Security for completion of Contract.	Quality of Supply.
Coffee, picked and cleaned, Colombo or Bourbon ...	1,00,000 (one hundred thousand) lbs.	At Commissariat Godown, Baloo Ghaut. To the Executive Officer or his Assistant.	50,000 lbs. on or before 1st August 1863. 50,000 lbs. on or before 1st October 1863.	2½ per Cent on value.	10 per Cent on value.	Muster can be seen at the Commissariat Office.

FORT WILLIAM;
Executive Commissariat Office,
The 5th March 1863.

A. D. DICKENS, *Major,*
Assistant Commissary General.

No. 67.

Commissariat Notice.

SEALED Tenders will be received by the Commissariat Officer at No. 6, Park Street, up to 2 o'clock P. M. of the 13th March, and opened there at noon on the day following in the presence of attending parties, for the supply of the Articles specified in the subjoined Schedule.

2. Forms of Tenders will be supplied by the undersigned and none others will be received.
3. Tenders to be superscribed—"Tenders for Ordnance Stores."
4. Tenders will not be received after the hour fixed.
5. Tenders must shew a rate for each and every Article of the Class or Classes to which they have reference.
6. Parties may tender for as many Classes as they please, or may confine their offer to one Class only.
7. Tendering Parties must lodge with their Tenders the requisite Earnest Money by Bank of Bengal Receipt or Government Promissory Notes.

SCHEDULE.

No. of Tenders.	Names of Articles.	Period for which Contract is invited.	Aggregate Quantity probably deliverable during Contract.	Where and to whom the Articles are deliverable.	Instalments deliverable and specific time of delivery.												Amount of Earnest Money to be lodged with Tenders.	Amount of Security to be deposited for Contract.	Quality of Supply.
					May 1863.	June 1863.	July 1863.	August 1863.	September 1863.	October 1863.	November 1863.	December 1863.	January 1864.	February 1864.	March 1864.	April 1864.			
1	Class A.																		
	Bags, Vitry, for European Soldiers No.		2,640		...	...	1,000	...	...	1,000	...	640	...	...	...	...			
	Cloth, Waxed, New Feet		16,000		...	10,000	...	6,000	...	...	...	...	...	...	...	...			
	Cloth, Canvas, Country, Coarse ,,		7,000		5,000	...	...	...	2,000	...	...	...	...	...	...	...			
	,, Doosooty, Blue ,,		600		600	...	...	...	...	...	...	...	...	...	...	...			
	Slings, Bugle or Trumpet, N. P. No.		200		50	50	...	50	50	...	...	...	...	...	...	...			
	Tents, European, Private, complete ,,		150		...	...	...	...	...	100	50	...	...	...	...	...			
	Tents, Sepoy, of 2 Pauls each, complete ,,		100		...	50	...	...	...	50	...	...	...	...	...	...			
	Class B.																		
	Boxes, Ammunition, Small Arm, Bullock No.		300		100	200	...	...	...	...	...	...	...	...	...	...			
	Bamboos, 1st size ,,		400		...	200	...	...	...	200	...	...	...	...	...	...			
	,, Male, for Poles 10 feet long for Musketry Instruction ,,		110		110	...	...	...	...	...	...	...	...	...	...	...			
	Handles for Spades and Shovels ,,		165		...	165	...	...	...	...	...	...	...	...	...	...			
	Platform Needles for Rack-lashing ,,		130		...	130	...	...	...	...	...	...	...	...	...	...			
	,, Plank, Gun or Howitzer ,,		300		...	200	...	...	...	100	...	...	...	...	...	...			
	,, Ribbands or Sleepers, Gun or Howitzer ,,		80		...	60	...	...	...	20	...	...	...	...	...	...			
	Class C.																		
	Accoutrements, Infantry.																		
	Belts, Leather, Black, for Rifle Brigade No.	1863.	1,000	Fort William.	...	...	500	500	...	...	...	...	...	...	...	...	of Tender.	of Tender.	

		For one year from the 1st May	To the Commissary of Ordnance at the Arsenal,												2½ per cent on amount	10 per cent. on amount
Belts, Leather, Slings. Rifle Brigade, Black	„	500	...	...	250	200	...	...	...	...	...	...	...	...		
Pouches, Leather, Private, 50 Rounds, N. P.	„	5,150	...	4,500	650	...	...	...	...	...	...	...	...	...		
Bags, Ball, to carry 10 Rounds of E. R. Ammunition	„	5,800	...	4,500	1,300	...	...	...	...	...	...	...	...	...		
Scabbards, Bayonets Musket, O. P.	„	1,000	...	...	1,000	...	...	...	...	...	...	...	...	...		
Cavalry.																
Pouches, Leather, Carbine, European Cavalry, 20 Rounds, Royal Pattern	No.	2,040	...	1,000	1,040	...	...	...	...	...	...	...	...	...		
Artillery.																
Pouches, Leather, Waist, Sword, with Shoulder Piece, for Service Batteries	No.	240	...	...	240	...	...	...	...	...	...	...	...	...		
Pouches, Leather, Royal Artillery Pattern	„	600	...	...	600	...	...	...	...	...	...	...	...	...		
Pioneers.																
Belts, Waist, with Plates and Frogs	No.	166	...	...	166	...	...	...	...	...	...	...	...	...		
Hides, Calf	„	85	...	30	...	30	25	...	...	...	...	...	...	...		
Hose, Leather, for Fire Engines, 25 feet each length	„	55	...	20	20	...	15	...	...	...	...	...	...	...		
Soda Water Bottles covered with leather	„	300	...	...	...	...	...	300	...	...	...	...	...	...		
CLASS D.																
Whip, Cord	lbs.	30	...	15	15	...	...	...	...	...	...	...	...	...		
Rope, Tarred, 4 inch	Fthms.	700	...	700	...	...	...	...	...	...	...	...	...	...		
„ 3 „	„	1,800	...	1,000	...	...	800	...	...	...	...	...	...	...		
„ 2½ „	„	2,000	..	1,000	...	...	1,000	...	...	...	...	...	...	...		
„ 2 „	„	6,000	2,000	4,000	...	...	...	...	...	...	...	...	...	...		
„ 1½ „	„	1,500	500	1,000	...	...	...	...	...	...	...	...	...	...		
„ Ratline	„	2,000	1,000	1,000	...	...	...	...	...	...	...	...	...	...		
CLASS E.																
Ghee	lbs.	800	65	65	65	65	65	65	65	65	65	65	65	85		
Oil, Cocoanut	„	4,000	300	300	300	300	300	300	300	300	300	300	300	700		
„ Linseed	„	2,500	500	1,000	1,000	...	...	...	...	...	...	...	...	...		
„ Mustard	„	2,500	1,500	1,000	...	...	...	...	...	...	...	...	...	...		
Paint, Dry, Lamp, Black	„	200	100	100	...	...	...	...	...	...	...	...	...	...		
Ditto, Litharge	„	50	25	25	...	...	...	...	...	...	...	...	...	...		
CLASS F.																
Charcoal	Cwt.	10	...	...	...	...	...	10	...	...	...	...	...	...		
Coal, Country Steam	„	2,000	200	200	200	200	200	200	200	200	100	100	100	100		
Coke	„	200	16⅔	16⅔	16⅔	16⅔	16⅔	16⅔	16⅔	16⅔	16⅔	16⅔	16⅔	16⅔		

No. of Tenders.	Names of Articles.	Period for which Contract is invited.	Aggregate Quantity probably deliverable during Contract.	Where and to whom the Articles are deliverable.	Instalments deliverable and specific time of delivery.												Amount of Earnest Money to be lodged with Tenders.	Amount of Security to be deposited for Contract.	Quality of Supply.
		1st of May 1863.	For one year from the 1st of May 1863.		May 1863.	June 1863.	July 1863.	August 1863.	September 1863.	October 1863.	November 1863.	December 1863.	January 1864.	February 1864.	March 1864.	April 1864.	of Tender.	of Tender.	
	Class G.																		
	Brushes, Hard or Polishing	No.	60		...	30	...	...	...	...	...	...	...	...	...	...			
	Blacking	lbs.	140		60	40	...	30	40	...	...	...	...	...	...	...			
	Buckles, Iron, 1½ inch	No.	4,000		2,000	2,000	...	...	...	...	...	...	...	...	...	...			
	1 "	"	6,000		3,000	3,000	...	...	...	...	...	...	...	...	...	...			
	Clay, White	Cwt.	60		10	...	10	...	10	...	10	...	10	...	10	...			
	" Black	"	12		1	1	1	1	1	1	1	1	1	1	1	1			
	Dammer	lbs.	40		20	20	...	...	...	...	...	...	...	...	...	...			
	Gum, Arabic	No.	20		10	10	...	...	...	...	...	...	...	...	...	...			
	Mats, Moulah	doz.	70		40	40	...	...	...	30	...	...	...	...	...	...			
	Pencils, Black Lead	lbs.	21		10	10	...	...	...	11	...	...	...	...	...	...			
	Salamoniac	"	160		13½	13½	13½	13½	13½	13½	13½	13½	13½	13½	13½	13½			
	Spirits of Turpentine	"	940		200	400	...	...	340	...	...	...	...	...	...	...			
	Sulphuret of Antimony, pure	"	80		...	80	...	...	...	...	...	...	...	...	...	...			
	of Lead	"	3,000		1,000	1,000	...	1,000	...	...	...	...	...	...	...	...			
	Sponge	"	4		...	...	...	...	...	...	...	...	...	...	...	...			
	Wool, Sheep	"	600		200	200	...	...	200	...	...	...	...	...	...	...			
	Class A.																		
	Iron, Pig, No. 1	Cwt.	3,000	To the Commissary of Ordnance at the Arsenal, Fort William.	1,500	...	...	...	...	...	1,500	...	...	...	...	...			
	Class B.																		
	Bamboos, large	No.	40		10	...	...	10	...	...	10	...	...	10	...	...			
	Baskets, Rattan or Wicker	"	100		25	...	...	25	...	...	25	...	...	25	...	...			
	Woodfire, Soondry	Cwt.	3,600		300	300	300	300	300	360	300	300	300	300	300	300			
	" Granpoles	No.	60		15	...	...	15	...	...	15	...	...	15	...	...			
	Class C.																		
	Charcoal, Saul	Cwt.	600	Gun Foundry, Cossipore.	50	50	50	50	50	50	50	50	50	50	50	50			
	Coal Pit, Country	"	12,000		3,000	...	...	3,000	...	...	3,000	...	...	3,000	...	...			
	" Smithy, Europe	"	6,000		1,500	...	...	1,500	...	...	1,500	...	...	1,500	...	...			
	Coke, Europe	"	3,500		875	...	...	875	...	...	875	...	...	875	...	...			
	Class D.																		
	Hides, Buffaloe, thick, & Hides	No.	48		12	...	...	12	...	...	12	...	...	12	...	...			
	" Bullock, thin Hides	"	48		12	...	...	12	...	...	12	...	...	12	...	...			
	Oil, Castor	Cwt.	30		2½	2½	2½	2½	2½	2½	2½	2½	2½	2½	2½	2½			
	" Cocoanut	"	30		2½	2½	2½	2½	2½	2½	2½	2½	2½	2½	2½	2½			
	" Linseed, Country	"	2		...	...	...	...	...	...	...	...	...	...	...	...			
	" " Europe	"	6		½	½	½	½	½	½	½	½	½	½	½	½			
	" Mustard	"	2		...	...	...	...	...	...	...	...	...	...	...	...			
	" Teil	"	1		...	...	...	...	...	...	...	...	...	...	...	...			
	Rosin, Country	lbs.	72		18	...	...	18	...	...	18	...	...	18	...	...			
	Tallow	Cwt.	12		3	...	...	3	...	...	3	...	...	3	...	...			
	Varnish	"	14		14	14	14	14	14	14	14	14	14	14	14	14			

			For one year from the	To the Superintendent,	To Commissary of Ordinance, Percussion Cap Factory, at Dum-Dum.	For one year from 1st May 1863.	2½ per cent on amount of Tender.	10 per cent on amount of Tender.	2½ per cent on amount	10 per cent on amount
			13 40	13 40	13 40	13 40	13 40	13 40	13 40	13 40
Class E.										
Gram, Patna	Cwt.	156	...	...	...	...	...	...	...	...
Straw, Paddy	,,	480	...	...	...	...	...	...	...	...
Class F.										
Borax	lbs.	28	...	...	...	...	...	...	...	...
Bricks, Common, Country	No.	36,000	3,000	3,000	3,000	3,000	3,000	3,000	3,000	3,000
,, Tiles	,,	200	...	...	...	...	...	...	...	...
Brushes, Painting, large	,,	4	...	...	...	...	...	...	...	...
,, ,, medium	,,	6	...	...	...	...	...	...	...	...
,, ,, small	,,	12	...	...	...	...	...	...	...	...
,, ,, Hand or Hearth	,,	10	...	...	...	...	...	...	...	...
Clay, Black, Country	Cwt.	240	20	20	20	20	20	20	20	20
Cowdung, dry	,,	180	15	15	15	15	15	15	15	15
Lime	Mds.	375	93¾	93¾	93¾	93¾	93¾	93¾	...	...
Limestone	,,	60	...	...	30	...	...	...	...	...
Mill Boards	Pcs.	12	...	...	...	...	...	...	...	...
Salamoniac	lbs.	24	...	...	...	...	...	...	...	...
Sand, Moulding, Country	Tons	5	...	...	5	5	5	5	...	...
,, Red	Mds.	1,875	156¼	156¼	156¼	156¼	156¼	156¼	156¼	156¼
Soorkey	,,	750	...	...	...	187½	187½	187½	...	...
Class G.										
Jute, Country	Cwt.	60	...	...	...	15	15	15	...	...
Lines, Deepsea	Skeins	36	...	...	...	...	...	...	...	...
,, Log	,,	36	...	...	...	...	...	...	...	...
Rope, Hemp, Country	Cwt.	4	...	...	...	...	...	...	...	...
Class A.										
Charcoal, Soondry	Cwt.	150	...	...	...	30	30	30	...	...
Coal, English Smithy	,,	70	...	...	...	20	20	10	...	...
,, Steam, Country	,,	1,200	...	...	...	250	250	250	...	...
Class B.										
Boxes, Ammunition, Small Arms, Camel or Elephant, N. P.	No.	3,760	300	300	300	300	300	300	300	300
Class C.										
Acid, Sulphuric	lbs.	100	...	...	...	20	20	20	...	...
Chloride of Zinc	,,	70	...	...	...	15	15	15	...	...
Ether	,,	1	...	...	...	...	...	...	...	...
Spirits of Turpentine	,,	600	...	...	150	150	150	100	...	...
,, of Wine 60 overproof	,,	2,100	...	...	500	500	500	500	...	...
Turpentine, Venice	,,	100	...	...	20	20	20	20	...	...

No. of Tenders.	Names of Articles.		Period for which Contract is invited.	Aggregate Quantity probably deliverable during Contract.	Where and whom the Articles are deliverable.	Instalments deliverable and specific time of delivery.												Amount of Earnest Money to be lodged with Tenders.	Amount of Security to be deposited for Contract.	Quality of Supply.
						May 1863.	June 1863.	July 1863.	August 1863.	September 1863.	October 1863.	November 1863.	December 1863.	January 1864.	February 1864.	March 1864.	April 1864.			
	Class D.																			
	Brushes, Camel Hair	doz.	For one year from 1st May 1863.	2½	To Commissary of Ordinance, Percussion Cap Factory, at Dum-Dum.	No. 9	...	...	7	...	...	7	...	...	7	...	...	2½ per cent on amount of Tender.	10 per cent on amount of Tender.	
	Chalk, Europe	lbs.		40		10	...	...	10	...	...	10	...	...	10	...	...			
	Cotton Wicks	,,		10		5	...	...	...	...	...	5	...	...	...	...	...			
	Flour	,,		184		19	15	15	15	15	15	15	15	15	15	15	15			
	Guages, Glass, for Steam Engine annealed, 12½ inches long and ⅝ inch diameter	No.		30		15	...	...	...	...	...	15	...	...	...	...	...			
	Gum, Arabic	lbs.		1		1	...	...	...	...	...	...	...	...	...	...	...			
	,, Babool	,,		380		100	...	...	100	...	...	100	...	...	80	...	...			
	,, Mastic	,,		12		6	...	...	...	...	...	6	...	...	...	...	...			
	,, Sundrac	,,		12		6	...	...	...	...	...	6	...	...	...	...	...			
	Hornes, Buffaloe	No.		6		6	...	...	...	...	...	...	...	...	...	...	...			
	Lac, Shell, Coarse	lbs.		140		70	...	...	...	...	...	70	...	...	...	...	...			
	,, ,, Fine	,,		200		100	...	...	...	...	...	100	...	...	...	...	...			
	Line, Log, Country	,,		72		36	...	...	...	...	...	36	...	...	...	...	...			
	Orpiment, Red	,,		1,000		500	...	...	...	...	...	500	...	...	...	...	...			
	Oil, Cocoanut	,,		1,500		400	...	...	400	...	...	400	...	...	300	...	...			
	,, Linseed, Country	,,		150		100	...	...	...	...	...	50	...	...	...	...	...			
	Paper, Overland	Qrs.		108		33	...	...	25	...	...	25	...	...	25	...	...			
	Pencils, Camel Hair	doz.		2		6	...	...	6	...	...	6	...	...	6	...	...			
	Pots, Earthen, of sizes	No.		12		6	...	...	...	...	...	6	...	...	...	...	...			
	Rice	lbs.		3		2	...	...	...	...	...	1	...	...	...	...	...			
	Skins, Sheep, dressed, common	No.		15		6	...	...	3	...	...	3	...	...	3	...	...			
	,, ,, dry, raw	,,		160		40	...	...	40	...	...	40	...	...	40	...	...			
	Tape, Cotton, narrow for Boxers Fuzes	Foot		26,000		13,000	...	...	...	...	...	1,3000	...	...	...	...	...			
	Tape, Cotton, narrow for Bickford Fuzes	,,		2,500		1,300	...	...	...	...	...	1,200	...	...	...	...	...			
	Tow for packing	lbs.		7,600		1,900	...	...	1,900	...	...	1,900	...	...	1,900	...	...			
	Varnish, Copaul	,,		25		25	...	...	...	...	...	...	...	...	...	...	...			
	Whiting (Delhi)	,,		340		100	...	...	80	...	...	80	...	...	80	...	...			
	Class E.																			
	Woodfire	Cwt.		1,050		170	80	80	80	80	80	80	80	80	80	80	80			

Fort William;
Executive Commissariat Office,
The 14th February 1863.

A. D. Dickens, *Major,*
Assistant Commissary General.

No. 9.

Commissariat Notice.

SEALED Tenders will be received by the Commissariat Officer at Dacca up to 3 P. M. of the 24th day of March 1863, and opened by him at his Office at noon of the following day in the presence of all parties who may be pleased to attend, for the supply, by Contract, of the Articles specified in the subjoined Schedule at Dacca and its Dependencies.

2. No Tenders will be received except on Form obtainable from the Executive Commissariat Officer.

3. Tenders to be superscribed—Tenders for Potatoes and Vegetables.

4. Tenders will not be received after the hour fixed.

5. Tendering parties must lodge with their Tenders the requisite Earnest Money by Dacca Branch of Bank of Bengal Receipt or Government Promissory Notes.

6. Separate rates to be tendered for the supply of Articles mentioned in the undermentioned Schedule as follows :—

1*st.*—At Station.
2*nd.*—Within 15 miles of Station.
3*rd.*—Within 30 miles of Station.
4*th.*—On Command, *i. e.*, beyond the distance mentioned in the above Schedule.

SCHEDULE.

Number of Tenders invited.	Names of Articles.	Period for which Contract is invited.	Aggregate Quantity probably deliverable during the Contract.	Where and to whom Articles are deliverable.	Instalment deliverable and specific time of delivery.	Amount of Earnest Money.	Security to be deposited for Contract.	Quality of Supply.	Remarks.
1	Potatoes ...	1st May 1863 to 30th April 1864.	Dacca ... 1,04,435 lbs. On Command ... 14,310 „ Debrooghur ... 14,310 „	Ration Grounds and Hospital. To Commanding and Medical Officers.	Daily proportion at half an hour before sunrise.	Dacca ... Rupees 125 On Command ... „ 50 Debrooghur ... „ 50	Dacca ... Rupees 500 On Command ... „ 70 Debrooghur ... „ 110	Very best in season.	Half ration of Potatoes (8 oz. per man) and 8 oz. of mixed Vegetables in season, from 1st November 1863 to 30th April 1864, and full ration of mixed Vegetables (1lb. per man) from 1st May to 31st October 1863.
	Mixed Vegetables ...		Dacca ... 41,212 lbs. On Command ... 4,770 „ Debrooghur ... 4,770 „						

DACCA;
Executive Commissariat Office,
The 17th February 1863.

C. S. LANE, *Captain,*
Sub-Assistant Commissary General.

No. 10.

Commissariat Department.

NOTICE is hereby given, that sealed Tenders will be received up to 12 o'clock noon on Wednesday, the 25th March 1863, by the Executive Commissariat Officer, Dacca, for the purchase of empty Porter and Ale Hogsheads for one year from 1st May 1863 to 30th April 1864.

2. Tenders will be opened by the Executive Commissariat Officer at his Office at noon on Thursday, the 26th March 1863, in presence of those interested who may choose to attend.

3. The successful Competitor will be required to deposit the amount mentioned in the Schedule at once, or in default the next successful Tender will be taken. The deposit will be retained until the Commissary General's acceptance of his Tender has been ascertained, and should such Competitor fail to furnish the Security mentioned in the subjoined Schedule within three days of such acceptance being made known to him, or his Agent (should he not be present), and to sign the Contract Bond as soon as the Stamp Paper can be procured and the Bond made ready, his deposit will be forfeited to Government.

4. Fines will be levied for any infringement of the stipulation of the Bond, and if thrice repeated the Contract will be annulled and the Security will be confiscated to Government.

5. The Contract must not be sub-let. The Contractor's Securities will be returned to him immediately on completion of his Contract.

6. No Tenders will be received after the hour and day fixed for their presentation.

7. Tenders to be superscribed—"Tenders for empty Hogsheads."

8. Forms of Tenders, Copies of Schedule, and all other information connected with the Contract may be had on application at this Office.

9. The Contractor must bind himself to make good to Government any loss which may arise from the failure of his Contract, and to pay for and remove the Casks once every month.

SCHEDULE.

DESCRIPTION.	Average Number of Hogsheads to be disposed of monthly.	Amount of deposit to be lodged by successful Competitor.	Amount of Security in Cash.	Fines to be levied for breach of Contract.	REMARKS.
Empty Porter and Ale Hogsheads ...	(20) Twenty.	Rs. 50.	Rs. 100.	Rs. 5 1st offence. „ 10 2nd „ „ 15 3rd „	

DACCA;
Executive Commissariat Office,
The 19th February 1863.

C. S. LANE, *Captain,*
Sub-Assistant Commissary General.

No. 68.

Commissariat Notice.

SEALED Tenders will be received by the Commissariat Officer at No. 6, Park Street, up to 2 P. M. of the 13th March 1863, and opened there at noon on the day following in the presence of parties who may be pleased to attend, for the sale of Stud-bred Horses and Fillies, &c., as specified in the subjoined Schedule.

2. Forms of Tender will be supplied by the Commissariat Officer on application and none other will be received.

3. Tenders to be superscribed—"Tenders for sale of Government Horses, &c."

4. Tenders will not be received after the hour fixed.

5. Tenders must shew a rate for each and every item comprised therein.

6. Tendering parties must enclose with their Tenders the requisite Earnest Money by Bank of Bengal Receipts or Government Promissory Notes.

SCHEDULE.

DETAIL.	Period for which Contract is invited.	Amount of Earnest Money.	Amount of Deposit.	REMARKS.
Sale of Government Horses and Fillies. Landing Stallions and Horses from Ships. Stabling per Horse per mensem, inclusive of all charges with loose box. Stabling per Horse per mensem, inclusive of all charges without loose box.	From 1st May 1863 to 30th April 1864.	Rupees 500.	Rupees 5,000.	

FORT WILLIAM;
Executive Commissariat Office,
The 20th February 1863.

E. A. GRUBB, *Major,*
For Assistant Commissary General.

ADVERTISEMENT OF SALE.

NOTICE is hereby given, that the Zemindaree rights of Government to the Khas Mehals situated in the District of Midnapore, and mentioned in the Statement hereto annexed, will be put up to sale, under orders of the Board of Revenue, as communicated in their Secretary's letter No. 182, dated 13th December 1862, in the Midnapore Collectorate, on Monday, the 6th day of April 1863, corresponding with the 26th Choit 1270 Umlee, and the 25th Choit 1269 Bengallee.

The Purchasers of the Mehals will be subject to the undermentioned Conditions :—

CONDITIONS OF SALE.

1*st.*—The Estates to be sold to the highest bidders above the upset price.

2*nd.*—When the amount of purchase money does not exceed Rupees 100, the whole amount to be paid down at once. When the amount of purchase money exceeds Rupees 100, a deposit, at Rupees 25 per cent., to be at once made upon the amount bid; the same to be forfeited to Government if the whole amount of purchase money be not paid by noon of the 15th day after the sale, or if the day be a close holiday, then on the first Office day, reckoning the day of sale as one, and the Mehal will be again put up to sale at the risk of the former Purchaser.

3*rd.*—The sale to be subject to existing leases and to the right conferred by the Settlement proceedings and laws in force, and Purchasers to be bound to respect the rights of resident cultivators who have signed the Jummabundees made by the Revenue Authorities.

4*th.*—The annual Embankment charges of the Mehals which are assessed with such charges will be paid by the Purchasers, as heretofore paid by Government, proportionately with other Zemindars. The existing arrangements for the repairs and maintenance of the Embankments will remain in force.

5*th.*—In addition to the ordinary Sudder Jummas fixed on the Estates Purchasers will be bound to pay an annual sum calculated at one per cent. on the Sudder Jummas, to be devoted to the construction of roads and improvement of communications. This sum will be leviable in the same manner as other arrears of Revenue.

1	2	3	4	5	6	7
Number of Lot.	Collectorate Towjee Number.	Name of Mehals and Pergunnahs.	Area.	Sudder Jumma.	Upset Price.	Remarks.
	Under Hoodas of Mehal No. 191 Towjee. After sale each Estate will be separately numbered in the Towjee.		B. C. B.	Rs. As. P.	Rs. As. P.	
		66-67				
1		Chundeepore, in Pergunnah Kedarkoond ...	583 7 12	313 0 0	626 0 0	Let in farm to the end of 1271 Umlee.
		68				
2		Beloon, Pergunnah Kedarkoond ...	164 19 8	140 0 0	280 0 0	Ditto.
		69				
3		Khamar Koosoomda, Pergunnah Kedarkoond ..	16 12 8	16 0 0	32 0 0	Ditto.
		72				
4		Borooee, Pergunnah Kedarkoond ...	70 16 0	62 0 0	124 0 0	Ditto.
		74				
5		Doojeepore, Pergunnah Kedarkoond ...	438 16 8	194 0 0	388 0 0	Ditto.
		75				
6		Tagareea, Pergunnah Kedarkoond ...	335 4 12	159 0 0	318 0 0	Ditto.
		9				
7		Nischanta, Pergunnah Khurugpoor ...	427 7 8	389 0 0	778 0 0	Ditto.
		50				
8		Barogarea Rutunpoor, Pergunnah Khurugpoor ...	65 18 4	27 0 0	54 0 0	Ditto.

MIDNAPORE COLLECTORATE,
The 9th January 1863.

H. MADOCKS,
Officiating Collector.

ADVERTISEMENT OF SALE.

NOTICE is hereby given, that the Zemindaree Right of Government to the several Khas Mehals, situated in the District of Bhullooah, and mentioned in the Statement hereunto annexed, will be put up to sale, under orders of the Board of Revenue, dated 28th October 1862, No. 60, at the Bhullooah Collectorate, on the 13th March 1863, corresponding with the 1st Choitro 1269 *B. S.*

The Purchasers of such Mehals will be subject to the Conditions laid down below :—

CONDITIONS OF SALE.

1*st.*—Estates to be sold, with the Sudder Jummas entered against each below, to the highest bidder above the upset price.

2*nd.*—The sale to be subject to existing leases and to the right conferred by the Settlement proceedings and laws in force, and Purchasers to be bound to respect the rights of resident cultivators who have signed the Jummabundee made by the Revenue Authorities.

3*rd.*—If the amount of purchase money do not exceed Rupees 100, the whole amount is to be paid down at once.

4*th.*—If the amount of purchase money exceed Rupees 100, a deposit is to be at once made of Rupees 25 per cent. upon the amount bid; the same to be forfeited to Government and the sale cancelled if the whole amount of purchase money be not paid by noon of the 15th day after the sale, reckoning the day of sale as one, and the Mehal will be again put up to sale at risk of the former Purchaser.

5*th.*—The purchase will have effect from 1st May 1863.

6*th.*—The Purchasers shall be bound to pay in addition to the Sudder Jumma one per cent. on the total Sudder Jumma assessed from the date of entry upon their purchase for the construction of roads and improvement of communication. This sum will be levied in the same manner as arrears of Revenue.

Number of Lots.	Number of Towjee.	Names of Mehal and Pergunnah.	Area.	Sudder Jumma.	Upset Price.
			B. C. C.	Rs. As. P.	Rs. As. P.
1	1390	Chur Purbush, attached to no Pergunnah ...	5,515 14 0	205 0 0	410 0 0
2	1405	Chur Boiragee, attached to no Pergunnah ...	79 8 13	48 0 0	96 0 0
3	1493	Jimba Jumoon Hossein, attached to no Pergunnah ...	30 13 0	12 0 0	24 0 0
4	351	Talook Imaumddy, Pergunnah Kanchunpore ...	21 10 3	4 0 0	8 0 0
5	1553	Chur Sunno Algee, attached to no Pergunnah ...	5,089 16 11	7 0 0	To be sold to the highest bidder.
6	4	Chur Algee, attached to no Pergunnah	6,014 18 5	1,218 0 0	2,436 0 0
7	5	Mehal Barropottah, attached to no Pergunnah ...	56 15 5	43 0 0	86 0 0
8	9	Chur Sekunder, four annas share Ramkanth, attached to no Pergunnah ...	130 4 9	8 0 0	To be sold to the highest bidder.
9	39	Chur Hassen Hosein, attached to no Pergunnah ...	322 17 13	35 0 0	70 0 0

J. H. HANKEY,
Officiating Collector.

BHULLOOAH COLLECTORATE,
The 20th December 1862.

MONTHLY STATEMENT OF TRAFFIC PASSED THROUGH THE CIRCULAR AND EASTERN CANALS *from* 1st *to* 28th *February* 1863.

	Names of Chowkeys.	Charcoal.			Wood Coal.			Piece Goods, Native Produce.			Piece Goods, Imported Fabrics.			Hides.			Cotton.			Castor Seed.			Castor Oil.			Indigo.			Jaggery.			Jute.			Lime.			Mustard Seed.			Mustard Seed Oil.		
		Number of Boats.	Maundage by Canal Measurement.	Maundage of Cargo by estimate.	Number of Boats.	Maundage by Canal Measurement.	Maundage of Cargo by estimate.	Number of Boats.	Maundage by Canal Measurement.	Maundage of Cargo by estimate.	Number of Boats.	Maundage by Canal Measurement.	Maundage of Cargo by estimate.	Number of Boats.	Maundage by Canal Measurement.	Maundage of Cargo by estimate.	Number of Boats.	Maundage by Canal Measurement.	Maundage of Cargo by estimate.	Number of Boats.	Maundage by Canal Measurement.	Maundage of Cargo by estimate.	Number of Boats.	Maundage by Canal Measurement.	Maundage of Cargo by estimate.	Number of Boats.	Maundage by Canal Measurement.	Maundage of Cargo by estimate.	Number of Boats.	Maundage by Canal Measurement.	Maundage of Cargo by estimate.	Number of Boats.	Maundage by Canal Measurement.	Maundage of Cargo by estimate.	Number of Boats.	Maundage by Canal Measurement.	Maundage of Cargo by estimate.	Number of Boats.	Maundage by Canal Measurement.	Maundage of Cargo by estimate.	Number of Boats.	Maundage by Canal Measurement.	Maundage of Cargo by estimate.
Circular Canal	Bamonghatta	...	...	...	5	600	350	...	...	...	...	...	170 Bls.	32	9950	7140	7	4900	2050	...	...	...	...	...	...	1	475	25 Boxs.	43	9300	6125	262	367000	292900	22	333500	283250	28	11575	9075	...	...	...
	Chitpore	178	115050	50600	...	...	...	...	...	...	21	22000	...	...	...	...	15	1300	700	...	...	...	...	...	...	...	...	...	...	...	...	6	7150	2800	2	1200	650	55	30650	15000	...	...	...
Tolly's Nullah	Samookpotta	...	...	...	4	800	350	...	...	...	...	...	...	3	1000	500	...	...	...	...	...	...	...	...	...	...	...	...	100	10000	4000	1	1500	1000	...	...	...	20	5000	2000	...	...	...
	Russa	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
	Kidderpore	7	13400	6700	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	1	275	200	...	...	...	...	...	...	...	...	...	...	...

	Names of Chowkeys.	Salt.			Sugar.			Tobacco.			Linseed.			Paddy.			Pulse.			Peas.			Rice.			Wheat.			Lentil.			Grain.			Sundries.	
		Number of Boats.	Maundage by Canal Measurement.	Maundage of Cargo by estimate.	Number of Boats.	Maundage by Canal Measurement.	Maundage of Cargo by estimate.	Number of Boats.	Maundage by Canal Measurement.	Maundage of Cargo by estimate.	Number of Boats.	Maundage by Canal Measurement.	Maundage of Cargo by estimate.	Number of Boats.	Maundage by Canal Measurement.	Maundage of Cargo by estimate.	Number of Boats.	Maundage by Canal Measurement.	Maundage of Cargo by estimate.	Number of Boats.	Maundage by Canal Measurement.	Maundage of Cargo by estimate.	Number of Boats.	Maundage by Canal Measurement.	Maundage of Cargo by estimate.	Number of Boats.	Maundage by Canal Measurement.	Maundage of Cargo by estimate.	Number of Boats.	Maundage by Canal Measurement.	Maundage of Cargo by estimate.	Number of Boats.	Maundage by Canal Measurement.	Maundage of Cargo by estimate.	Total Number of Boats.	Total Maundage by Canal Measurement.	Total Maundage of Cargo by estimate.
Circular Canal	Bamonghatta	...	...	...	136	43940	29000	3	1625	1100	24	28875	22975	2	825	500	...	...	...	1	475	400	348	508400	292400	3	4550	2575	...	...	...	2	1175	900	7068	8000	...
	Chitpore	242	111700	91600	...	...	...	5	2350	1200	...	...	...	...	...	...	...	...	...	...	...	...	9	5400	2700	2	1150	5000	...	...	...	...	...	...	2295	1424875	...
Tolly's Nullah	Samookpotta	...	...	...	3	700	400	8	1600	1200	1	3000	1800	900	50000	20000	5	1200	500	...	...	...	100	11000	8000	2	4000	3000	...	...	...	...	...	...	1153	217450	...
	Russa	...	...	...	...	...	...	...	...	...	...	...	...	43	1400	1010	...	...	...	...	...	...	1583	65350	43205	...	...	...	...	...	...	...	...	...	2970	134450	...
	Kidderpore	27	21775	11550	...	...	...	...	...	...	...	...	...	1	150	50	...	...	...	...	...	...	1	300	150	...	...	...	...	...	...	...	...	...	1232	216425	...

DHAPPA;
Toll Collector's Office,
The 3rd March 1863.

J. F. GALIFFE,
Collector and Magistrate of Tolls.

For Sale,

By auction, at a fair upset price, 8 Iron-framed Barracks in the Military Cantonment of Raneegunge, at 7 o'clock A. M on the 16th of March 1863. After sale the Buildings to be at the risk of the Purchaser and to be dismantled and removed by the 10th of April 1863.

Companies or Merchants requiring large Godowns will find an advantage in the purchase of these Buildings.

For further particulars apply to the Executive Engineer, 1st Division, Grand Trunk Road, Raneegunge.

EDWARD ROOKE,
Executive Engineer, 1st Division,
Grand Trunk Road.

Nuddea Rivers.

Report shewing the least Depth in the present Navigable Channels from the 24th February to 2nd March 1863.

NAMES OF RIVERS.	Least Depth of Water.	REMARKS.
MATABANGAH.	Ft. In.	
Above Entrance in Ganges ...	5 6	
On the Entrance Shoal	Closed.	
Thence to Hât Beauleah, 44 miles ...	1 2	
Hât Beauleah to Alickdeah ...	Closed.	
Alickdeah to Kissengunge, 38 miles ...	2 5	
Kissengunge to Hooghly River, 34 miles ...	4 3	
BHAUGIRUTTEE.		
Entrance ...	2 3	
Thence to Jeagunge ...	2 3	
Jeagunge to Cutwa, 60 miles ...	2 9	
Cutwa to Nuddea, 46 miles ...	3 6	
JELLINGHEE.		
Entrance ...	Closed.	
Thence to Kureempore, 19 miles ...		
Kureempore to Teeakatta, 35 miles ...	1 7	
Teeakatta to Nuddea, 60 miles ...	2 2	

Height on Guage at Berhampore, on the 2nd March 1863, 1¼ inches.

R. G. SMYTH, *Lieut., R. E.,*
Offg. Supdt., Nuddea Rivers.
The 4th March 1863.

PURSUANT to a Decree of the late Supreme Court of Calcutta, made in a cause of Onanthnauth Day against Cassipersaud Bose and Bissonauth Goopto, dated Eighth January Onethousand Eight hundred and Sixty-two, the Creditors of Sreemutty Santoomoney Dossee, the youngest widow of Promothonauth Day, late of Simlah, Calcutta, Banian, deceased, and who (Santoomoney) died in May One thousand Eight hundred and Sixty, are peremptorily required to come in and prove their debts before the Master of the High Court at his Office, in the Court House, on or before the twenty-seventh day of March next, or in default they will be peremptorily excluded from the benefit of the said Decree.

JOSEPH GOODEVE,
Master.

JUDGE, BONNERJEE, AND SMITH,
Attorneys.

CALCUTTA HIGH COURT;
Master's Office,
The 27th February 1863.

In the matter of the "Subordinate Medical Officers', Widow, and Orphan Fund," and Act XXI. of 1862 of the Legislative Council of India.

WHEREAS by an Order of the High Court of Judicature at Fort William in Bengal, made in the above matter and dated the 12th February 1863, it was ordered that the said Fund be dissolved, and it was referred to the Hon'ble Walter Morgan, one of the Judges of the said Court, *to enquire who, at the date of the said order, were the existing Members of the said Society, distinguishing to which of the five classes of Members specified in the Regulations of the said Fund such persons respectively belong, and who, at the date of the said order, were Pensioners or persons entitled to become Pensioners on the said Fund, and which of such Pensioners or persons entitled to become Pensioners were adults, and which minors, and whether such minors had any guardians respectively, and who were such guardians, and if there were any such minors not having a guardian then whether the mothers of such minors respectively were now living and in a state of widowhood and whether any and which of such Members and Pensioners or persons entitled to become such had died since the date of the said order, and whether there were any legal representatives of such parties respectively, and who were such representatives, and whether there were any, and what other claim upon the Funds of the said Society.* All persons entitled to claim as above are required to come in and prove their respective claims as Members Pensioners, or Creditors of the said Fund before the said Judge at the said High Court, Esplanade Row, Calcutta, before the 15th day of April next otherwise their claims will be barred.

BERNERS, SANDERS, AND FERGUSSON,
Solicitors.

CALCUTTA HIGH COURT,
The 28th February 1863.

Statement of the Affairs of the Bank of Bengal for the Week ending 4th March 1863.

LIABILITIES.			Rs.	As.	P.
Proprietors' Capital paid up	...	...	1,00,00,000	0	0
Reserve Fund ...	...	...	10,68,536	10	4
General Treasury Balance at Head Office	...	... Rs. 3,81,62,406	1	8	
Ditto ditto at Branches...	...	... „ 22,42,959	10	9	
			4,07,05,365	12	5
Other deposits at Head Office and Branches	...	...	1,56,67,030	11	5
Bank Post Bills, &c.	...	...	4,12,732	5	8
Bank Notes outstanding	...	...	17,69,704	0	0
Sundries ...	...	...	6,48,568	4	7
Rupees ...	...	...	7,17,62,905	12	5

ASSETS.			Rs.	As.	P.
Government Securities, Investment No. 1	...	...	...	...	...
Loans on Government Securities at Head Office and Branches	...	...	...	...	...
Accounts of Credit on ditto ditto	...	...	...	...	...
Mercantile Bills discounted at ditto ditto	...	...	...	...	...
Dead Stock ditto ditto	...	...	...	...	...
Stamps ditto ditto	...	...	...	...	...
Banker's Balances	...	...	...	...	...
Sundries	...	...	...	...	...
					16,05,763 3 7
					88,93,650 0 0
					8,55,420 2 8
					78,86,113 7 2
					2,30,219 4 2
					9,318 7 9
					1,19,761 4 11
					6,71,211 2 5
					2,03,51,457 0 8
Treasury Reserve in Coin at Head Office ...	...	... Rs.	2,28,00,700	3	8
Ditto ditto at Branches ...	...	... „	10,09,220	10	9
			2,38,09,920	14	5
Ditto invested in Government Securities and claims against Government	...	...	...	...	...
Bank's Reserve in Notes at Head Office	...	... Rs.	75,42,030	0	0
Ditto in Silver ditto	...	...	72,62,013	8	8
			1,48,04,093	8	8
Ditto in Notes at Branches	...	...	12,22,770	0	0
Ditto in Silver ditto	...	...	30,02,923	6	8
			42,25,693	6	8
					3,24,71,626 13 5
					88,61,775 14 0
					1,90,29,791 15 4
Rupees	...	...	.....	...	...
			7,17,62,905	12	5

By Order of the Directors,
GEO. DICKSON,
Secretary and Treasurer.

D. WOODS,
Accountant.

PURSUANT to an order of the High Court of Judicature at Fort William in Bengal, in its ordinary original Civil jurisdiction, made in the matter of the Estate of William Amys Rolfe, deceased, the Creditors of the said William Amys Rolfe, late a Surgeon in the Service of the Hon'ble East India Company, on their Bengal Establishment, who died on or about the month of August one thousand eight hundred and fifty-seven, are by their Solicitors, on or before the thirty-first day of March next, to come in and prove their debts before the Hon'ble Sir Mordaunt Lawson Wells, one of the Judges of Her Majesty's High Court of Judicature at Fort William in Bengal, at the Court House, in Esplandade Row, or before such other of the Judges of the said High Court as may be then sitting on references, or in default thereof they will be peremptorily excluded from the benefit of the said order. Wednesday, the fifteenth day of April one thousand eight hundred and sixty-three, at ten o'clock in the forenoon, at the said Court House, is appointed for hearing and adjudicating upon the claims.

Dated this 28th day of February 1863.

R. BELCHAMBERS,
Registrar.

SANDES, STACK AND CO.,
Solicitors for the Plaintiff.

Court for the Relief of Insolvent Debtors at Calcutta.

In the matter of Asiatic Marine Insurance Office, an Insolvent. } On Saturday, the 7th day of February instant, it was ordered that such of the Shareholders of the said Asiatic Marine Insurance Office, resident in Calcutta or the Suburbs thereof, as have neglected to pay the sum of Company's Rupees 1,000, at which they have been respectively further assessed in respect of each share held by them, respectively, in the said Company, do on or before the 1st day of May next, pay to the Official Assignee the said sum of Company's Rupees 1,000, at which they have been respectively assessed as aforesaid, and that the Shareholders of the said Asiatic Marine Insurance Office, resident in Hong Kong and in Bombay, do, on or before the 1st day of July next, and that the Shareholders of the said Asiatic Marine Insurance Office, resident in the Mauritius and in Great Britain and other places not herein specifically mentioned, do, on or before the 1st day of September next, pay to the Official Assignee the respective sums at which they have been assessed as aforesaid, in respect of the shares held by them, respectively, in the said Company. And that in case any of the Shareholders of the said Asiatic Marine Insurance Office shall neglect to comply with such order within the time limited, the said Official Assignee shall be at liberty to apply to this Court that such defaulting Shareholders may be adjudged to have committed an act of insolvency according to the provision of the Act No. XLIII. of 1850, passed by the President of the Council of India in Council on the 27th December 1850, entitled an Act for the regulation of Joint Stock Companies.

Hatch and Stewart, *Attorneys.*

Chief Clerk's Office, the 17th February 1863.

In the matter of Gopaulloll Pyne, of Harkatta Gully, in Calcutta, inhabitant, an Insolvent. } On Friday, the 27th day of February instant, it was ordered that the matters of the petition of the said Insolvent be heard on Saturday, the 2nd day of May next, and that the said Insolvent do then attend to be examined by the said Court.

Strong, *Attorney*.

In matter of Sausoon Nissim Barrook, of Portuguese Church Street, in Calcutta, Broker, an Insolvent. } On Wednesday, the 25th day of February last, it was ordered that the matters of the petition of the said Insolvent be heard on Friday, the 17th day of April next, and that the said Insolvent do then attend to be examined by the said Court.

Insolvent in Person.

Chief Clerk's Office, the 3rd March 1863.

Notice.

THE Partnership heretofore existing between HERSCHELL DEAR and ALEXANDER CHRISTIAN as Railway Contractors and Timber Merchants having been dissolved by mutual consent on the 30th day of June last, the undersigned is prepared to execute orders for Timber of every description by contract.

ALEXANDER CHRISTIAN.

MONGHYR,
The 27th October 1862.

H. Dear & Co.,

TIMBER MERCHANTS.

THE above Firm is prepared to undertake the supply of Sleepers or Timber to Railway Companies or other parties.

For the last 11 years the Firm has successfully carried out very heavy engagements with the East Indian Railway Company, as also with the Government of India, and has still extensive Contracts with both for Timber and Sleepers.

H. DEAR & Co.

MONGHYR,
The 27th January 1863.

India General Steam Navigation Company "Limited."

NOTICE is hereby given, that the usual Half-yearly Ordinary General Meeting of Shareholders of the above Company will be held at the Company's Office at one o'clock on Thursday, the 12th day of March 1863.

By Order of the Directors,

W. T. SALMON,
Secy., I. G. S. N. Co. "Limited."

Notice.

MR. EVAN ALEXANDER JACK is authorized to sign our Firm per procuration from this date.

PLAYFAIR, DUNCAN & Co.

CALCUTTA,
The 2nd March 1863.

Calcutta Steam Tug Association "Limited."

THE Half-yearly Meeting of Shareholders will be held at the Office of the Secretaries on Monday, 16th March 1863, at noon.

The Books and Accounts are open to the inspection of Shareholders.

GORDON, STUART & Co.,
Secretaries.

CALCUTTA,
The 2nd March 1863.

Bengal Tea Company Limited.

THE Fifth Ordinary Half-yearly General Meeting of the Company will be held at 12 o'clock on Wednesday the 11th March 1863, at the Registered Office, No. 14, Strand.

S. H. ROBINSON,
Acting Secretary.

Notice.

MR. MATHEW LISLE INGRAM has been admitted a Partner in our Firm, and our business in London will be carried on under the style of Hay, Ingram and Co.

JOHN OGILVY HAY & Co.,
Akyab and Bassein.

AKYAB,
The 19th February 1863.

Notice.

WE have authorized MR. WILLIAM PIRIE DUFF to sign our Firm from this date.

MACKENZIE, LYALL & Co.

CALCUTTA,
The 26th February 1863.

Notice.

MR. JAMES BLACKBURN KNIGHT is authorised from this date to sign the Firms of W. NEWMAN AND Co., of ARLINGTON AND Co., and of HAROLD AND Co.

SAMUEL HARRADEN.

CALCUTTA,
The 2nd March 1863.

Notice.

MR. DEMETRIUS JOSEPH ZEMIN is authorised from this date to sign the Firm of ARLINGTON AND Co.

SAMUEL HARRADEN.

CALCUTTA,
The 2nd March 1863.

INSOLVENT COURT.

ASSIGNEE'S OFFICE NOTICE.

Pursuant to Act No. XXVII. of 1841.

NOTICE is hereby given, that in the event of no claim being established to the unclaimed Dividends here undermentioned within twelve months from this date, such Dividends will be distributed among such of the Creditors of the undermentioned Insolvent Estate as shall have established their claims against such Estate respectively :—

Estate of Cruttenden, Mackillop and Co.

NAMES OF CREDITORS.	7th Dividend, at 2 annas and 3 pie per cent.		
	Rs.	As.	P.
Anderson, Serjeant P., deceased ...	1	14	1
Arabin, Captain A., deceased ...	2	13	9
Aplin, Captain C. D., for Bebee Mindoo ...	6	1	1
Anderson, James ...	30	15	10
Allan, Captain R. ...	12	8	0
Ameerun Bebee *alias* Lyke ...	2	0	11
Ambrose, Captain A. ...	0	15	2
Anderson, Mrs. A. ...	1	12	8
Anderson, W. ...	6	3	5
Armstrong, Mrs. H. ...	1	1	1
Bagnold, Colonel M. E. ...	20	3	11
Boileau, Captain J. T. ...	11	14	11
Baillie, George ...	18	5	3
Benny Sing *alias* Benny Bahadoor Sing ...	1	0	7
Band of the 15th Regiment N. I. ...	0	13	9
Bowes, Colonel F. ...	9	4	4
Bruce, James ...	23	6	4
Burt, Lieutenant T. S. ...	14	13	1
Barlow, Lieutenant B. ...	17	12	10
Bentinck, the Right Hon'ble Lord William ...	15	9	4
Bell, H. P. ...	0	12	6
Band of H. M.'s 13th Regiment ...	2	9	1
Brae, Thomas ...	26	3	8
Bryce, the Reverend Dr. J., for Assembly Fund ...	2	15	3
Betty, Miss B. ...	6	6	2
Bean, Mrs. Selina ...	12	6	1
Burney, W. and J., for Captain Curran	20	9	4
Barjon, L. ...	6	9	1
Bajee Rao Peshwa, His Highness Moharajah ...	41	3	4
Clerk, Cornet M. ...	4	2	9
Corsfield, Lieutenant C. ...	6	6	0
Croudace, Captain J. ...	3	12	1
Cornet, C. ...	11	9	3
Christain, A. ...	13	10	0
Cowjon, Mrs. J. ...	1	2	10
Cathree, Captain H. ...	29	15	2
Corbin, Captain T. A. ...	5	12	3
Cearns, John ...	2	5	5
Chalke, H. J. ...	19	14	5
Cornet, Mrs. A. L. ...	4	14	11
Cataina, Thomas, Junior ...	5	9	3
Davidson, Mrs. H. ...	27	14	1
Dubins, E. G. ...	1	12	0
DeRoza, A. F. ...	2	2	9
Graham, Mrs. Jane, Executrix of Captain C. Graham ...	8	6	1
Harris, Mrs. Serjeant J. ...	3	3	10
Hawes, Major G. ...	8	13	1
Hughes, Captain H. P. ...	20	10	4
Hunter, J. ...	9	9	5
Hamilton, Miss M. ...	1	3	5
Hutton, Lieutenant T. ...	0	7	0
Hodges, Captain N., for Furkunda Khanum ...	9	9	4
Hume, E. K. ...	1	4	0
Hall, J. deceased ...	17	5	6
Hinder, Mrs. E. A. ...	1	13	9
Hay, J. D. ...	9	12	6
Herring, Mrs. M. A. ...	1	1	6
Hervey, Mrs. E. ...	1	4	4
Harris, Captain W. ...	0	10	7
Joseph, Mrs. M. J. ...	1	5	0
King, George ...	0	9	6
Key, Captain A. M., deceased ...	8	1	11
Kydd, Captain H. ...	3	14	2
Law, F. ...	0	9	1
Lawless, Major P., deceased ...	2	6	0
Lambe, A. J. ...	63	7	2
Lock, Ensign J. B. ...	1	13	9
Lloyd, W. ...	1	10	6
Lloyd, Mrs. M. ...	21	13	11
LeBreton, Mrs. E. J. ...	9	0	10
Leckie and Co. ...	7	4	11
Lloyd, W. J. ...	0	12	6
Leotard, J., Senior ...	1	0	3
MacWhirter, J. ...	24	13	8
Maingay, A. D. ...	37	11	5
Macnair, Lieutenant R. ...	6	5	3
Milner, Sub-Conductor T. ...	0	9	2
Macfarlane, D. ...	1	9	2
Macintyre, C. ...	1	3	3
Manson, Captain J. ...	0	7	7
MacEvoy, Serjeant J., for Mrs. Church	4	1	7
MacEvoy, Serjeant J. ...	2	7	2
Meldrum, Captain T., deceased ...	0	8	3
Martin, J. ...	5	5	0
Moorshedabad Hospital ...	8	13	11
Macdermott, W. ...	0	12	4
Meiselback, Mrs. A. ...	2	5	8
Marshman, the Red. Dr. J. Executor to W. R. Williams ...	18	3	0
Mincheson, Miss M. ...	7	7	7
Marshman, Mrs. J. C. ...	2	8	1
Macfie, R., deceased ...	1	4	2
Nisbett, Colonel J. ...	9	11	0
Nilmoney Mitter ...	0	15	1
Ommaney, Captain C. ...	8	11	0
Overett, Serjeant J. ...	59	13	11
Owen, Thomas, deceased ...	8	5	5
Phillips, Thomas ...	61	12	0
Perry, Thomas ...	50	0	4
Paxton, W., deceased ...	3	10	5
Playfair, G. ...	9	5	9
Pearce, Captain C. ...	7	8	4
Prendergast, Mrs. M. ...	28	15	7
Regimental Artillery Fund ...	1	6	3
Regimental Artillery Band Fund ...	3	6	1
Roope, Colonel B. ...	12	13	0
Ramdhone Sing, Sepoy ...	3	2	2
Rhodes, W. ...	5	0	3
Rotton, Mrs. A. M., now Mackie ...	4	15	8
Read, Mrs. H. ...	5	1	0
Reed, Charles ...	2	14	1
Ramgopaul Mitter ...	0	11	3
Reilly, B. ...	0	12	6
Street, John ...	2	6	6

Names of Creditors.	7th Dividend, at 2 annas and 3 pie per cent.		
	Rs.	As.	P.
Smith, Captain J. B. ...	11	15	5
Scott, A. ...	42	10	8
Street, W. ...	1	3	1
Smith, Captain E. ...	24	7	11
Smith, Alexander ...	13	0	0
Stevenson, W., Junior ...	12	3	4
Scott, W. ...	137	4	11
Sloane, W ...	1	4	3
Serampore College ...	2	13	4
Seppings, I. M. ...	11	7	11
Star Insurance Office ...	346	4	9
Simson, A. ...	2	15	9
Shock, Miss Amelia ...	4	7	0
Saha Beharry Laul ...	4	14	0
Stewart, J. ...	2	8	2
Travers, H. T. ...	4	12	6
Taylor, Lieutenant-Colonel T. ...	2	12	4
Thomson, R. M. M. ...	8	13	4
Teixeira, Reverend F. A. deV. M. ...	4	13	6
Tytler, John ...	20	4	4
Thornton, Captain S. L. ...	2	1	9
Telfair, C. ...	1	10	1
Urquhart, Lieutenant G. ...	2	3	6
Voight, Mrs. S. R. ...	9	8	3
Watts, W. ...	0	12	0
White, Brigadier M. ...	17	13	10
Waters, Colonel E. F. ...	6	11	1
Wilson, Captain R W. ...	0	12	0
Walker, Lieutenant-Colonel L. ...	0	12	4
Wesse, Captain L. ...	0	14	9
Wylie, J. ...	8	13	1
Watson, J. ...	45	10	6
Wilson, Mrs. Mary ...	0	13	7
Wasmas, Mrs. E. ...	8	15	6
Williams, Miss F. A., deceased ...	8	5	3
Warden, W. ...	1	8	6
Williams, Miss E. ...	0	12	6
Williams, Miss J. ...	0	12	6
Williams, H. T. ...	0	12	6
Young, Captain George ...	33	15	0
Yates, the Reverend W. ...	4	2	7
Estate of W. Leycester ...	3	12	8
Estate of Sir A. Seton ...	59	11	10
Estate of R. Collins ...	0	7	7
Estate of W. Tate ...	258	15	0
Estate of H. Hanis ...	1	0	7
Estate of G. Cracklow ...	1	7	1
Estate of Colonel Udny Yule ...	93	15	4
Estate of D. Shaw ...	0	12	1
Estate of D. Stewart ...	2	11	1
Estate of T. Keap ...	10	11	1
Estate of W. Hemmings ...	3	5	1
Estate of E. Trotter ...	5	12	3
Estate of J. Gonsalves ...	18	3	0
Estate of J. W. Smith ...	1	10	11
Estate of W. Dring ...	2	14	2
Executor of Colonel Lambton ...	5	4	9
W. Dring, Executor to Mrs. E. Laney	2	13	0
The late W. Leycester's Landed property ...	3	3	2
Heir-at-Law of J. Breen ...	19	11	9
G. French, deceased ...	33	4	5
Third Toutine ...	4	11	2
Equitable Tontine Class ...	17	6	11
Children of Martin ...	3	2	8
Children of Gillis ...	3	0	7
Guardian of W. Lambton ...	26	11	4

Names of Creditors.	7th Dividend, at 2 annas and 3 pie per cent.		
	Rs.	As.	P.
Guardian of Miss E. Lambton ...	36	0	6
Master J. L. Lemarchand ...	6	15	3
Captain W. Sleeman for Children of Rotton ...	0	9	4
Mrs. McQuhaend's Children ...	14	13	11
A. Mackenzie for his Sister ...	23	9	2
T. Dickens and J. H. Haines Trustees of the Children of M. Haines	15	6	6
Mother of D. Anverness's Children ...	0	12	6
Colonel G. Pollock for Muttywoollah Khitnutgar ...	1	8	1
Subscription for Mrs. Pitman and family ...	12	0	10
Trustees of Mrs. Davis ...	15	0	10
Trustees of Mrs. Colville ...	30	7	2
Trustees of Mrs. S. Dobinson ...	0	7	4
Trustees of Mrs. Wolffe ...	11	11	4
Trustees of Mrs. E. Harris ...	2	13	5
Trustees of Miss H. M. Williams, now Mrs. Knyuett ...	0	13	6
Trustees of Mrs. Bean ...	9	14	0
Trustees of Mr. and Mrs. Eweler ...	13	1	0
Trustees of Mrs. Stack and Children	7	2	8
Trustees of Sarah Campbell the Younger ...	2	9	7
Trustees of Mr. and Mrs. Bowstead .	14	12	1
Trustees of Mrs. Cameron ...	2	13	7
Trustees of Mrs. Francis ...	21	7	3
Trustees of Mrs. L. Mottley ...	21	11	6
Trustees of Miss A. C. Tytler, now Mrs. Macdonald ...	9	1	4
Trustees of G. A. Tytler ...	4	1	10
Trustees of Mrs. Colonel White ...	44	8	8
Trustees of Mrs. Nash ...	0	13	7
Trustees of Mrs. Farrou ...	22	4	3
Trustees of Mrs. Brunet ...	7	14	11
Trustees of Miss L. Steven ...	2	10	8
Trustees of Elizabeth *alias* Betsey Baney ...	5	15	11
Trustees of Mary Baney ...	3	10	4
Trustees of Mrs. S. Meik ...	35	10	0
Trustees of Mrs. Jacobe ...	16	4	10
Trustees of J. Young's Child ...	5	12	6
Trustees of Dr. and Mrs. Graham's Marriage Settlement ...	17	0	6
Trustees of Mrs. Corfield ...	2	3	0
Trustees of Miss H. Penrose .	20	1	3
Trustees of Mrs. Grant's Marriage Settlement ...	36	1	8
Trustees of Banty Khanum ...	3	11	0
Trustees of Mrs. Schultz ...	1	7	1
Mrs. Joseph Melany ...	4	0	10
W. Charles ...	41	1	2
W. Melville ...	160	4	9
Miss B. Bie ...	4	8	0
Gunter and Hooper ...	28	2	4
J. McRitchie, account G. Smytton...	20	3	7
Isser Chunder Mozoomdar Executor of Tarreney Churn Bose ...	4	8	1
Trustees of Mrs. Colonel Wilkinson .	20	5	11
T. Timbrell, Attorny for J. M. Richardson ...	1	7	7
Trustees of Mrs. Charlotte Wilkinson	7	8	6
Lieutenant H. Paul, deceased ...	0	10	6

JOHN COCHRANE,
Official Assignee.

CALCUTTA,
The 28th February 1863.

ASSAM COMPANY, BENGAL.

Dr. *Balance Sheet on 30th September 1862.* *Cr*

	Rs.	As.	P.		Rs.	As.	P.
Dividend the First ...	157	8	0	Assam Company, London, General Account ...	1,25,935	4	11
Dividend the Second ...	8,370	0	0	T. E. Pinto ...	712	13	6
Dividend the Third ...	8,790	0	0	Sales of Tea in India ...	1,53,428	13	3
Dividend the Fourth ...	11,424	0	0	Sales of Tea Seed ...	48,305	2	0
Dividend the Fifth ...	14,030	0	0	Deposits in Assam ...	4,459	0	1
Dividend the Sixth ...	19,536	0	0	Provision Stores ...	11,838	15	9
Dividend the Seventh ...	19,684	0	0	Deposits in Cachar ...	52	12	9
Dividend the Eighth ...	24,564	0	0	R. H. Haly ...	387	2	4
Dividend the Ninth ...	26,658	0	0				
Dividend the Tenth ...	29,060	0	0				
Dividend the Eleventh ...	32,952	0	0				
Dividend the Twelfth ...	29,352	0	0				
Dividend the Thirteenth ...	33,060	0	0				
Bank of Bengal ...	564	3	1				
Cash ...	148	8	0				
Nazeerah Treasury ...	42,160	12	11				
Advances in Assam ...	36,428	2	4				
Advances in Cachar ...	2,278	4	4				
Provision Stores to Cachar ...	758	7	4				
Advances for Coolies ...	1,000	0	0				
B. P. Mitter ...	2,277	4	6				
Cachar Treasury ...	1,866	14	1				
Rs. ...	3,45,120	0	7	Rs. ...	3,45,120	0	7

CALCUTTA,
The 8th January 1863.

J. MARTIN,
Deputy Secretary.

We the undersigned Auditors of the Assam Company in Bengal having carefully examined the above Account do hereby certify it to be a correct Abstract from the Calcutta Books of the Company.

R. PLECHYNDEN,
S. F. SEYMOUR, } *Auditors.*

A.

Receipts and Disbursements of the Assam Company, Bengal Branch, from 1st April to 30th September 1862.

Dr. *Cr*

	Rs.	As.	P.		Rs.	As.	P.
To liabilities as per last audit ...	4,240	11	8	By Cash and other Assets ...	1,23,439	13	2
„ Disbursements in Calcutta ...	23,817	12	3	„ Assam Company, London, General Account ...	2,71,309	9	10
„ Establishment at Gowhatty ...	636	0	0	„ Sales of Tea in India ...	34,411	7	1
„ Establishment at Serajgunge	250	0	0	„ Sales of Tea Seed ...	14,696	0	0
„ Establishment at Southern Division ...	1,79,930	7	5	„ Provision Stores ...	668	8	10
„ Establishment at Northern and Eastern Divisions ...	15,219	12	0	„ Claims unsettled, payable ...	5,611	12	8
„ Establishment at Durrung ...	5,148	0	4				
„ Establishment at Cachar ...	26,389	8	4				
„ Law Charges ...	1,872	6	0				
„ Commission to Establishment	6,659	4	9				
„ General Stores ...	16,302	10	9				
„ Live Stock ...	294	9	0				
„ Coolies to Assam ...	15,163	13	9				
„ Coolies to Cachar ...	8,215	5	6				
„ Provision Stores to Cachar ...	261	10	6				
„ Income Tax ...	4,806	2	0				
„ Dividend the Thirteenth ...	33,060	0	0				
„ Directors' Fees ...	257	14	9				
„ Boat Establishments ...	20,887	1	4				
„ Cash and other Assets ...	86,724	1	3				
Rs. ...	4,50,137	3	7	Rs. ...	4,50,137	3	7

CALCUTTA,
The 8th January 1863.

J. MARTIN,
Deputy Secretary.

We the undersigned Auditors of the Assam Company in Bengal having carefully examined the above Account do hereby certify it to be a correct Abstract from the Calcutta Books of the Company.

R. BLECHYNDEN,
S. F. SEYMOUR, } *Auditors.*

B.

Assam Company, Bengal.

Dr. *General Abstract of Cash from 1st October 1845 to 30th September 1862.* *Cr.*

	Rs.	As.	P.		Rs.	As.	P.
To Assam Company, London ...	35,85,163	15	6	By Assam Company, London ...	45,98,398	7	2
„ Directors' Fees ...	44,642	2	11	„ Sales of Tea in India ...	1,53,428	13	3
„ Live Stock ...	23,578	11	7	„ Sales of Tea Seed ...	48,305	2	0
„ Commission to Establishment ...	1,93,577	2	6	„ Provision Stores ...	11,838	15	9
„ General Stores ...	1,37,552	4	6	„ Claims unsettled, payable ...	5,611	12	8
„ Coolies to Assam ...	79,690	8	4				
„ Law Charges ...	9,864	0	6				
„ Income Tax ...	27,166	3	4				
„ Coolies to Cachar ...	15,607	11	0				
„ Provision Stores ...	758	7	4				
„ Dividend the Thirteenth ...	33,060	0	0				
„ Boat Establishment ...	3,28,806	5	9				
„ Establishments, amount expended from 1st April to 30th September 1862 ...	2,51,391	8	4				
„ Cash and other Assets ...	86,724	1	3				
Rs. ...	48,17,583	2	10	Rs. ...	48,17,583	2	10

CALCUTTA,
The 8th January 1863.

J. MARTIN,
Deputy Secretary.

We the undersigned Auditors of the Assam Company in Bengal having carefully examined the above Account do hereby certify it to be a correct Abstract from the Calcutta Books of the Company.

R. BLECHYNDEN,
S. F. SEYMOUR, } *Auditors.*

Silchar Tea Company "Limited."

THE affairs of this Company having been wound up a General Meeting of Shareholders will be held at the Registered Office, No. 16B, Lall Bazar, on Saturday, the 9th day of May next, at 3 o'clock P. M., to consider the Account then to be submitted in terms of Section XCIV. of Act XIX. of 1857.

JAMES YOUNG,
Official Liquidator.

For Sale,

THE Mehals of Pergunnah Rockunpore to the west of the Bhaugirruttee, situated in Zillah Moorshedabad. For particulars apply to James Cockburn, Esquire, Rampore Baulecah, or to Jardine, Skinner and Co., Calcutta.

JARDINE, SKINNER AND CO.,
Managing Agents of B. Watson and Co.

Lost,

HALF of a Government new Currency Note, No. 25368, for Rupees 50.

Lost, Stolen, or Destroyed,

THE undermentioned Government Promissory Notes, standing in the name of Kootboodeen Ahmed Khan, the Proprietor, by whom it was never endorsed to any other person. Payment of the Notes and interest thereupon has been stopped at the Loan Office, and application is about to be made to Government for the issue of duplicate Notes in favor of the Proprietor:—

No. 42146 of 1854-55, for Rs. 1,000
„ 42146 of „ for „ 1,000

KOOTBOODEEN AHMED KHAN.

LUCKNOW,
The 21st February 1863.

Lost or Stolen,

THE Left-half of the Bank of Bengal Note, No. 27474B., for Rupees 25. Payment stopped at the Bank.

Lost,

THE First-half of Bank of Bengal Note, No. 34129F., and Second-half No. 06629B., value Rupees 100 and Rupees 25 respectively. Payment stopped at the Bank.

OMERTO LAL BORAL.

NOTICES issued by the POST-MASTER of CALCUTTA.

No. 219.

The 27th February 1863.—The Overland Mail per Steamer *Simla* will be closed on Sunday, the 8th March 1863, at 6 P. M.

Letters for Madras, Ceylon, the Straits, China, Mauritius, and Australia can be sent by this opportunity.

	Weight.		*Vid* Marseilles.	*Vid* Southampton.
Postage.	Under ¼	Ounce	Rs. 0 6 0	Rs. 0 4 0
	„ ½	„	„ 0 8 0	
	„ ¾	„	„ 0 14 0	„ 0 8 0
	„ 1	„	„ 1 0 0	
	„ 2	„	„ 2 0 0	„ 1 0 0

No. 220.

The 20th February 1863.—The Post-Master begs to inform the Public that the Overland Express Packet of the 20th February, and the Safe Dâk of the 19th idem, arrived at Bombay in time for the Overland Steamer.

No. 222.

The 5th March 1863.—An After-Packet per Steamer *Simla* will be kept open at this Office till 3 P. M. of the 9th instant.

Printed and Published for the Government by J. H. CASHMAN, *at the Office of the Bengal Secretariat, Calcutta.*

The Calcutta Gazette.

WEDNESDAY, MARCH 11, 1863.

Home Department.

LEGISLATIVE.

THE following Act of the Governor-General of India in Council received the assent of His Excellency the Governor-General on the 23rd February 1863, and is hereby promulgated for general information:—

ACT No. VIII OF 1863.

An Act for the amendment of the law relating to the confinement of Prisoners sentenced by Courts acting under the authority of Her Majesty and by certain other Courts and of Prisoners convicted of offences in Native States.

Preamble.

WHEREAS it is desirable to amend the law relating to the confinement of Prisoners who have been sentenced by Courts acting under the authority of Her Majesty, or of the Government of India, or of any Local Government; and whereas it is expedient to make the same provision for the secure custody of persons convicted of participation in the offence of Suttee (burning alive) or Sumadh (burying alive) and of such other offences as the Governor-General in Council shall from time to time, by an order to be published in the Government Gazette, think fit to prescribe, within the Territories of Native Princes or States in alliance with Her Majesty as is already made in regard to persons convicted of Thuggee or Dacoity in such States; It is enacted as follows:—

Repeal of Regulations and Acts.

I. Regulation IX of 1833 of the Bombay Code *(to provide for the reception in the Jails under that Presidency of Prisoners sentenced by Courts of Justice or Tribunals acting under British superintendence other than those provided for in the existing Regulations)*, Act XVIII of 1843 *(for the better custody of persons convicted of Thuggee and Dacoity)*, and Act V of 1847 *(to facilitate the execution of the sentences of Courts established by the authority of the Governor-General in Council for the administration of Criminal Justice in States or Territories administered by Officers acting under the authority of the East India Company)* are hereby repealed.

Officers in charge of Jails may give effect to sentences passed by certain Courts.

II. Officers in charge of Jails within the British Territories in India shall be competent to give effect to any sentence which shall be passed by any Court or Tribunal acting under the authority of Her Majesty, or of the Government of India, or of any Local Government, although such Court be not situate in a place not subject to the General Regulations. Provided that this Section shall not apply to any Officer in charge of any Jail or House of Correction within the local limits of the ordinary original Civil jurisdiction of any Court established by Royal Charter.

Proviso.

Warrant of Officer of such Court to be sufficient authority.

III. A warrant under the official signature of an Officer of the Court or Tribunal as aforesaid shall be sufficient authority for holding any Prisoner in confinement, or for transmitting any prisoner for transportation beyond Sea in pursuance of the sentence passed upon him.

Executive Government may authorize reception detention or imprisonment in British India of persons convicted of certain offences in Native States.

IV. It shall be lawful for the Executive Government of any part of the British Territories in India, to authorize the reception, detention, or imprisonment in any part of those Territories, for the periods specified in their respective sentences, of persons sentenced within the Territories of any Native Prince or State in alliance with Her Majesty to imprisonment or transportation for the offence of Thuggee or Dacoity, or the offence of belonging to any gang of Thugs or Dacoits, or for participation in the offence of Suttee or Sumadh, or for such other offences as the Governor-General in Council shall from time to time, by an order published in the Government Gazette, think fit to prescribe. Provided always that such sentences shall have been pronounced after trial before a Tribunal in which an Officer of Government, duly authorized in that behalf by such Prince or State, shall be one of the presiding Judges. Every Officer of Government so authorized as aforesaid shall

Proviso.

forward with every Prisoner a certificate of his conviction, and a copy of the proceedings held at the trial, that the same may be forthcoming for reference at the place where the sentence of imprisonment or transportation may be carried into effect.

Procedure of Officer in charge of Jail if he doubt the legality of any warrant sent to him for execution.

V. If any Officer in charge of a Jail shall entertain any doubt as to the legality of any warrant sent to him for execution under this Act, or as to the competency of the person or persons whose official seal and signature may be affixed thereto to pass the sentence and issue such warrant, such Officer shall refer the matter to the Government to which he is subject, by whose order on the case such Officer and all other public Officers shall be guided as to the future disposal of the Prisoner. Pending any such reference the Prisoner shall be detained in such manner and with such restrictions or mitigations as may be specified in the warrant.

Provisions of existing Acts &c. relating to the treatment and security of Prisoners generally, to apply to Prisoners confined under this Act.

VI. The provisions of the existing Acts and Regulations, and all other rules in force for the treatment and security of Prisoners confined in the said Jails, shall apply and be of equal force and effect in the case of prisoners confined therein under this Act as in the case of other Prisoners confined therein.

M. WYLIE,
Depy. Secy. to the Govt. of India,
Home Department.

THE following Act of the Governor-General of India in Council received the assent of His Excellency the Governor-General on the 23rd February 1863, and is hereby promulgated for general information:—

ACT No. IX OF 1863.

An Act to amend the Code of Civil Procedure.

Preamble.

WHEREAS the Code of Civil Procedure requires that appeals from decisions or orders to the Sudder Court shall ordinarily be heard and determined by two or more Judges of the said Court; and whereas in the Territories, not subject to the General Regulations, the highest Civil Courts of appeal, which are declared by Section 386 of Act VIII of 1859, to be included in the expression "Sudder Court" in any part of the said Territories to which the said Code may be extended, generally consist of only a single Judge, and it is expedient to make provision for the powers to be exercised by such single Judge in hearing appeals from decisions and orders, or in proceedings relating to any other matter which may be brought before him; It is enacted as follows:—

In certain places the Highest Civil Court of Appeal to have powers of Sudder Court.

I. When in any part of the British Territories in India to which the Code of Civil Procedure has been or shall be extended under the provisions of Section 385 of the said Code, the highest Civil Court of appeal consists of a single Judge, such Judge shall have all the powers vested by such Code in two or more Judges of the Sudder Court.

No order or proceeding of such Court to be void because passed or held by a single judge.

II. No order passed by or proceeding held before the single Judge of any such highest Civil Court of appeal, subsequent to the extension of the Code of Civil Procedure to such part of the British Territories in India, shall be deemed invalid or be liable to be questioned on the ground that such order or proceeding was passed by or held before a single Judge.

M. WYLIE,
Depy. Secy. to the Govt. of India,
Home Department.

THE following Act of the Governor-General of India in Council received the assent of His Excellency the Governor-General on the 23rd February 1863, and is hereby promulgated for general information:—

ACT No. X OF 1863.

An Act to improve the Administration of Justice in the District of Darjeeling.

Preamble.

WHEREAS it is expedient to improve the Administration of Justice in the District of Darjeeling; It is enacted as follows:—

No appeal from decisions in suits of the nature cognizable in Small Cause Courts under Act XLII of 1860.

I. Every decision or order passed by the Superintendent of the District of Darjeeling in suits of the nature cognizable in Courts of Small Causes under Act XLII of 1860 *(for the establishment of Courts of Small Causes beyond the local limits of the jurisdiction of the Supreme Courts of Judicature established by Royal Charter)* or by the Judge of any Court constituted in the said District under the said Act shall be final, and no appeal shall lie from such decision or order. Provided that it shall be competent to the Superintendent, or Judge of any such Court as aforesaid, if he shall think fit, to grant a new trial, if applied for within the period of thirty days from the date of the decision; but no new trial shall be granted unless the party applying for the same shall, with his application, deposit the amount for which judgment shall have been given against him, including the costs (if any) of the opposite party.

Proviso.

In case of doubt as to question of Law &c., statement of case may be submitted for decision of High Court.

II. If in the trial of any suit any question of Law or usage having the force of Law, or the construction of a document affecting the merits of the decision shall arise on which the Superintendent or Judge of any Court constituted as aforesaid shall entertain reasonable doubt, the Superintendent or Judge as aforesaid may, either of his own motion, or on the application of any of the parties to the suit, draw up a statement of the case and submit it with his own opinion for the decision of the High Court.

And decree may be passed contingent thereon; but pending receipt, execution not to issue.

III. The Superintendent or Judge as aforesaid may proceed in the case notwithstanding a reference to the High Court, and may pass a decree contingent upon the opinion of the High Court on the point referred; but no execution shall be issued in any case in which a reference shall be made to

the High Court until the receipt of the order of that Court.

IV. Cases referred for the opinion of the High Court shall be dealt with by two or more Judges of that Court.

Full bench of the High Court to decide cases referred under this Act.

V. The High Court shall fix an early day for the hearing of the case, and shall notify the same by a proclamation to be fixed up in the Court House of that Court.

High Court to fix an early day for the hearing of the case.

Proclamation thereof.

VI. The parties to the case may appear and be heard in the High Court in person or by pleader.

Parties may appear and be heard in person or by pleader.

VII. The High Court, when it has heard and considered the case, shall transmit a copy of its judgment, under the seal of the Court and the signature of the Register, to the Superintendent or Judge as aforesaid, and the Superintendent or Judge as aforesaid shall, on the receipt thereof, proceed to dispose of the case conformably to the decision of the High Court.

Decision of High Court how to be transmitted.

VIII. Costs, if any, consequent on the reference of a case for the opinion of the High Court shall be costs in the suit.

Costs of reference to High Court.

IX. In all suits other than those mentioned in Section I of this Act, in which the amount or value of the suit shall not exceed Rupees 5,000, an appeal from the decision of the Superintendent, or of any other Court which is or hereafter may be established in the said District of Darjeeling shall lie to the Judge of Dinagepore, subject to the rules contained in the Code of Civil Procedure regarding regular appeals.

In suits other than those referred to in Section I, and of an amount or value not exceeding 5,000 Rs. a regular appeal to lie.

X. A special appeal shall lie to the High Court of Judicature at Fort William from all decisions passed in regular appeal by such Judge, on the ground of the decision being contrary to some Law or usage having the force of Law, or of a substantial error or defect in Law in the Procedure or investigation of the case, which may have produced error or defect in the decision of the case upon the merits, and upon no other ground, and such special appeal shall be subject to the rules contained in the Code of Civil Procedure regarding special appeals.

Special appeal to High Court in certain cases.

XI. In all suits heard and determined by the Superintendent, or by any other Court which is or hereafter may be established in the said District of Darjeeling in which the amount or value of the suit shall exceed Rupees 5,000, an appeal shall lie to the said High Court, subject to the rules contained in the Code of Civil Procedure regarding regular appeals.

In suits above 5,000 Rupees regular appeal to lie to High Court.

XII. When a commitment in a case triable under the Code of Criminal Procedure by a Court of Sessions is made by the said Superintendent or by any other officer in such District competent to make commitments to the Court of Sessions, such commitment shall be made to the Sessions Judge of Dinagepore, and shall be heard and determined by him.

Provision for cases triable by Court of Sessions under Code of Criminal Procedure.

XIII. Appeals from sentences and orders passed by the said Superintendent or by any Officer subordinate to him from which an appeal is allowed under the Code of Criminal Procedure shall lie to the Sessions Judge of Dinagepore, and shall be heard and determined by him.

Appeals from sentences, &c. of Superintendent and his Subordinates.

XIV. The High Court of Judicature at Fort William in Bengal shall exercise the same jurisdiction, appellate or otherwise in respect of any sentence or order passed by such Sessions Judge under this Act, which the said High Court may exercise in respect of any other sentence or order passed by such Judge.

Powers of High Court in respect of sentence, &c. of Sessions Judge under this Act.

M. WYLIE,
Depy. Secy. to the Govt. of India,
Home Department.

THE following Act of the Governor-General of India in Council received the assent of His Excellency the Governor-General on the 25th February 1863, and is hereby promulgated for general information :—

ACT No. XI OF 1863.

An Act to consolidate and amend the law relating to the employment and remuneration of Peons for the service and execution of Civil process.

WHEREAS it is expedient to consolidate and amend the law relating to the employment and remuneration of Peons for the service and execution of Civil process in the Courts of the North-Western Provinces of the Presidency of Fort William in Bengal and in other parts of the British Territories in India, to which this Act shall be extended as hereinafter provided; It is enacted as follows :—

Preamble.

1. From and after the passing of this Act, Section XIV of Regulation XXVI. 1814 of the Bengal Code *(for modifying some of the Rules at present in force regarding the admission and trial of special and summary appeals from decisions passed in regular suits; for limiting and altering some of the existing provisions respecting the pleadings and processes, and the mode of executing decrees and regular suits and appeals; and for explaining and making certain additions to the provisions of Regulation I.* 1814*)*, Section V of Regulation VII. 1832 of the said Code *(for modifying certain of the provisions of Regulation V.* 1831*, and for providing supplementary Rules to that enactment)*, and Act XIV of 1845 *(to provide for the appointment of Nazirs in the Moonsiff's Courts,* shall cease to have effect in the North-Western Provinces of the Presidency of Fort William in Bengal.

Laws repealed.

II. Subject to the approval of the Sudder Court the Judges of the several Zillah Courts in the said North-Western Provinces shall fix the number of Peons necessary to be employed in the said Zillah Courts and in the several Courts subordinate to them for the service

Number of Peons for each Court by whom to be fixed.

and execution of processes issued out of such Courts, respectively, and the Judges of the Courts of Small Causes in the said Provinces shall in like manner fix the number of Peons necessary to be employed in the said Small Cause Courts for the service and execution of processes issued out of such Courts. Subject to the like approval the said Judges may from time to time alter the number of Peons to be so employed.

Appointment and registration of Peons.

III. The appointment of Peons in the several Courts mentioned in the last preceding Section shall be made, subject to the approval of the Judge of the Court, by the Nazir of the Court in which the Peons are employed, or by the Clerk of the Court where there is such an Officer; and every such appointment shall be registered in the Court with the following particulars: the name of the Peon, his age, his place of abode, his father's name, and date of appointment.

No other persons to be employed as Peons without special leave of Court.

IV. No person who shall not be appointed and registered as a Peon in the manner hereinbefore provided shall be employed in the service or execution of the process of any Court without the special leave of such Court.

Peons to be furnished with belt and plate.

V. The Peons who are appointed and registered in the manner above prescribed, shall be furnished at the expense of the State with a uniform belt and plate, on which shall be inscribed the Court to which the Peon belongs and the number of the Peon in the Register.

Remuneration of Peons.

VI. The Peons appointed and registered under this Act shall either receive fixed salaries, or be remunerated by fees for the service of the processes served or executed by them, as the local Government shall direct. The amount of salary shall be fixed by the local Government.

Disposal of sums paid under Act for execution of process.

VII. When the Peons appointed under this Act are remunerated by a fixed salary, the money paid under this Act for the service or execution of processes shall be carried to the credit of Government, and shall be formed into a fund out of which the salaries of such Peons shall be paid. Any surplus that may accrue from such fund, after paying the salaries of the Peons, shall be at the disposal of the local Government, and may be applied by such Government, subject to the approval of the Governor-General in Council, to the improvement of the administration of Civil Justice in the North-Western Provinces.

Account of Moneys received into and paid out of Court.

VIII. A regular account of all moneys received into and paid out of of Court under this Act shall be kept, and extracts from this account shall be forwarded to the local Government at such times, and in such form as such Government shall direct.

Construction of process.

IX. Every process served or executed under this Act shall be held to be a process within the meaning of Section 188 of the Code of Civil Procedure and Section II of Act XXIII of 1861 (*to amend Act VIII of* 1859 *for simplifying the procedure of the Courts of Civil Judicature not established by Royal Charter.*)

Sudder Court to make rules for fixing cost for serving process, remuneration of peons, &c.

X. The Sudder Court shall make rules prescribing the cost of serving and executing processes issued by the said Court, and by the Courts subordinate to such Court, as well as by the Courts of Small Causes, established within the local limits of the jurisdiction of such Sudder Court, and for levying the same, and also rules for the remuneration of the Peons appointed and registered under this Act who are not paid by fixed salaries, and of all other persons who may be employed in the service or execution of processes by leave of a Court under the 4th Section of this Act, and also such other rules as the Sudder Court shall deem necessary, and shall not be inconsistent with the provisions of this Act, for carrying out the provisions of this Act. The rules made under this Section, after being confirmed by the local Government, shall have the force of law. Subject to the same confirmation the Sudder Court may from time to time vary the rules made under the authority of this Section. The rules made and confirmed under this Section, and a table of costs for serving and executing processes, shall be exposed to public view in every Court for which Peons are appointed and registered under this Act.

Powers of Governor-General and of Lieutenant-Governor, Punjaub, to extend Act.

XI. The Governor-General of India in Council shall have power by an order to be published in the Calcutta Gazette to extend the provisions of this Act to any part of the Territories under the immediate administration of the Governor-General in Council; and the Lieutenant-Governor of the Punjab shall have power by an order to be published in the Official Gazette to extend the provisions of this Act to any part of the Territory under his Government.

Interpretation of "Judge."

XII. The term "Judge" in this Act shall denote the Presiding Judicial Officer in every Court of Civil Judicature by whatever title he shall be designated. And in any place not subject to the General Regulations to which the provisions of this Act extend, or shall hereafter be extended as provided in the last preceding Section, the Judges of the Principal Courts of original Civil Jurisdiction in such place shall be the Judges to fix the number of Peons necessary to be employed in such Courts and in any Courts subordinate to such Courts as provided in Section II of this Act, and subject to the approval therein mentioned.

Interpretation of "Sudder Court" in places to which Act shall be extended.

XIII. When this Act shall be extended to any place under Section XI of this Act the term "Sudder Court" as used in this Act shall be taken to mean the Highest Civil Court of Appeal established in the place to which this Act shall be so extended.

M. Wylie,

Depy. Secy. to the Govt. of India,

Home Department.

THE following Act of the Governor-General of India in Council received the assent of His Excellency the Governor-General on the 25th February 1863, and is hereby promulgated for general information :—

ACT No. XII OF 1863.

An Act to bring the Pergunnahs of Mahoba and Jeitpore, in the District of Humeerpore, under the operation of the General Regulations.

Preamble.

WHEREAS the District of Humeerpore in Bundlekund is, with the exception of the Pergunnahs of Mahoba and Jeitpore, subject to the General Regulations, and whereas it is expedient that the said Pergunnahs should, for the sake of uniformity and public convenience, be administered on the same system as prevails in the rest of the District; It is enacted as follows :—

Laws and Regulations for internal administration of Humeerpore to have full force in Mahoba and Jeitpore &c.

I. The Laws and Regulations established for the internal administration of the District of Humeerpore shall have full force and effect in the Pergunnahs of Mahoba and Jeitpore, and the administration of Civil and Criminal Justice, and the superintendence of the settlement and realization of the public revenue, and of all matters relating to rent in the said Pergunnahs, are hereby vested in the Officers who are, or may hereafter be, appointed by the Lieutenant-Governor of the North-Western Provinces for the said District of Humeerpore.

Saving as to suits pending at the time of passing of this Act.

II. All suits and proceedings arising in the said Pergunnahs which, at the time of the passing of this Act, shall be pending in any Court, or before any Officer, shall be heard and determined in the same manner as if the said Pergunnahs had not been brought under the operation of the General Regulations.

Suits remanded by any Appellate Court.

III. Any suit which, before the passing of this Act, had been determined, and which has been or shall be remanded by any Appellate Court, shall be tried before the Court which, for the time being, would be competent to try such a suit if instituted after the passing of this Act.

Appeals pending in Jhansie Commissioner's Court, and execution of Decrees.

IV. All appeals or proceedings now pending in the Court of the Commissioner of Jhansie shall be determined by such Commissioner in the same manner as if this Act had not been passed; and all applications for execution of decrees or orders which, but for the passing of this Act, would have been made to any Court or Officer existing at the time of the passing of this Act shall be made to the Court or Officer that would have had jurisdiction in respect of the matter in dispute, had the suit or proceeding been instituted after the passing of this Act.

Appeals from Decrees or orders passed before passing of Act.

V. All appeals from decrees or orders passed before the passing of this Act shall be received, heard and determined by the Court or Officer who would have had jurisdiction over such appeals, had the decrees or orders to which they relate been passed after the passing of this Act.

Commencement of Act.

VI. This Act shall take effect from such date as the Lieutenant-Governor of the North-Western Provinces shall fix by an order to be published in the Official Gazette.

M. WYLIE,

Depy. Secy. to the Govt. of India,
Home Department.

THE following Act of the Governor-General of India in Council received the assent of His Excellency the Governor-General on the 25th February 1863, and is hereby promulgated for general information :—

ACT No. XIII OF 1863.

An Act to empower Judges of the High Court and other Authorities at Bombay to direct Convicts to be imprisoned either in the House of Correction or the Common Jail.

Preamble.

WHEREAS great inconvenience is occasioned in the administration of Criminal Justice by reason of the House of Correction in the Town of Bombay not having sufficient accommodation to contain all the prisoners from time to time sentenced to be there confined for divers offences, and it is desirable that the Judges of Her Majesty's High Court at Bombay, and the Justices of the Peace and Magistrates of Police in the Town and Island of Bombay should be empowered to send prisoners to the Common Jail in the Town of Bombay as well as to the House of Correction; It is enacted as follows :—

Persons sentenced by High Court to rigorous imprisonment, &c., may be imprisoned in House of Correction or Common Jail in Bombay.

I. Whenever, from and after the passing of this Act, any person shall be sentenced by Her Majesty's High Court of Judicatnre at Bombay to rigorous imprisonment, or to imprisonment with hard labor or solitary confinement, it shall be lawful for the Judges or Judge of the said Court of Judicature to direct such person to be imprisoned either in the House of Correction, whether such House of Correction be under the control of the Sheriff or not, or in the Common Jail in Bombay, as to them or him shall seem fit.

Where also persons sentenced by said Court to transportation, &c., may be kept.

II. Whenever, from and after the passing of this Act, any person shall be sentenced by the High Court at Bombay to transportation, or penal servitude, such person may at the discretion of the Judges or Judge of the said Court, be kept in the House of Correction, whether such House of Correction be under the control of the Sheriff or not, or in the Common Jail in Bombay, as the place of intermediate custody.

Where also persons sentenced by Justice of the Peace or Police Magistrate to rigorous imprisonment, &c., may be committed.

III. Whenever, from and after the passing of this Act, any person shall be sentenced by a Justice of the Peace or Magistrate of Police in the Town and Island of Bombay to rigorous imprisonment, or imprisonment with hard labor, the person so sentenced may be committed by such Justice of the Peace or Police Magistrate

either to the House of Correction, whether such House of Correction be under the control of the Sheriff or not, or to the Common Jail in Bombay, as to such Justice of the Peace or Magistrate shall seem fit.

M. WYLIE,

Depy. Secy. to the Govt. of India,

Home Department.

THE following Bill, as amended by a Select Committee of the Council of the Governor-General for the purpose of making Laws and Regulations, is published for general information :—

A Bill to provide for the Registration of Assurances.

Preamble.

WHEREAS it is expedient to consolidate and amend the laws relating to the Registration of Assurances; It is enacted as follows :—

REPEAL OF REGULATIONS AND ACTS.

Laws repealed.

I. Regulation XXXVI. 1793 *(for establishing a Registry for Wills and Deeds, for the transfer or mortgage of real property)*, Regulation XXVIII. 1795 *(for extending to the Province of Benares, Regulation XXXVI. 1793, entitled "A Regulation for establishing a Registry for Wills and Deeds for the transfer or mortgage of real property")*, Regulation XVII. 1803 *(for establishing a Registry for Wills and Deeds for the transfer or mortgage of real property in the Provinces ceded by the Nawaub Vizier to the Honorable the English East India Company)*, Section XVII Regulation VIII. 1805 *(for extending to the conquered Provinces situated within the Doab and on the right Bunk of the River Jumna, and to the territory ceded to the Honorable the English East India Company in Bundlecund by the Peishwa, such of the Laws and Regulations established for the internal Government of the Provinces ceded by the Nawaub Vizier to the Honorable the English East India Company, as have not been already extended to those territories, and for revising and amending certain parts of the said Laws and Regulations)*, so far as it relates to Regulation XVII. 1803, Section XXXII Regulation XII. 1805 *(for the settlement and collection of the Public Revenue in the Zillah of Cuttack, including the Pergunnahs of Puttespore, Kummardichour, and Bograe, at present included in the Zillah of Midnapore)*, Regulation XX 1812 *(for modifying some of the provisions contained in the existing Regulations respecting the Registry of Deeds and for establishing a Register of engagements for the delivery of Indigo)*, and Regulation IV. 1824 *(to provide more effectually for the Office of Register of Deeds)*, of the Bengal Code; Regulation XVII. 1802 *(for establishing a Registry for Wills and Deeds for the transfer or mortgage of real property)*, and Regulation XI. 1831 *(to provide more effectually for the Office of Register of Deeds)*, of the Madras Code; and Regulation IX. 1827, *(for establishing a Register of Title-Deeds and a General Register of Deeds, Obligations, and other Writings, in each Zillah subordinate to the Presidency of Bombay)*, of the Bombay Code, and Regulation XIII. 1828 *(for enabling Assistant Judges when expedient to keep the Registers prescribed by Regulation II of 1827 when stationed in the Districts)* of the Bombay Code, and Act XXX of 1838, Act I of 1843, *(for amending the law concerning the Registration of written conveyances and other instruments affecting titles and other interests to land)*, Act XIX of 1843 *(for amending the law respecting the Registration of certain Deeds)*, Act IV of 1845 *(to amend the law regarding the Registration of Deeds)*, Act XVIII of 1847 *(for curing the invalidity in the Registration of Deeds arising from the fact of having been registered by persons not duly appointed or on other than Court days)*, and Act XI of 1851 *(for the custody of Registers of Deeds in the Presidency of Bengal)*, shall cease to have effect in any part of the British Territories in India from and after the date on which this Act shall come into operation, except in so far as such Regulations or Acts rescind other Regulations or Acts, and except as regards Instruments registered before the date on which this Act shall come into operation, under any of the said Regulations or Acts then in force; and from and after such date, in the territories not subject to the General Regulations, all Rules and Regulations relating to the Registration of Instruments in force in such territories at such date shall cease to have effect, except as regards Instruments registered in such territories before such date under any of such Rules or Regulations.

DEFINITIONS.

Interpretation.

II. In the construction of this Act, unless the contrary appear from the context, the words "Local Government" shall denote the person or persons

"Local Government."

authorized by law to administer the Executive Government in any part of British India; the words "District

"District Registrar."

Registrar" shall include the Registrar of every Presidency Town; the words "year" and "month" shall

"Year" and "month."

denote a year or month respectively by the British Calendar; and words importing the singular number shall

Number.

include the plural number, and words importing the plural number shall include the singular number; words

Gender.

importing the masculine gender shall include females.

Governor-General of India may vest in the Head Executive Officer of any Territory under his immediate administration the powers conferred by this Act.

III. It shall be lawful for the Governor-General of India in Council, by an order to be published in the Calcutta Gazette, to declare that in any territory under the immediate administration of the Governor-General in Council, the Head Executive Officer of such territory shall exercise the powers vested by this Act in the local Government, and thereupon such Officer shall, for the purposes of this Act, be the local Government of such territories as defined in this Act.

REGISTRATION ESTABLISHMENT.

General Register Office.

IV. The local Government of every Presidency and place shall establish, within the territories subject to such Government at such place as to it shall seem fit, an Office to be called the General Register Office, and may appoint an Officer to

the charge of such Office, who shall be called the Registrar-General of the Presidency or place for which he is appointed. Provided that the local Government may declare and constitute the Board of Revenue, where there is a Board of Revenue, or any other Public Office to be such General Register Office, and all the provisions of this Act which apply to such Registrar-General shall apply to such Board or other Office so declared and constituted.

Formation of Districts and Divisions.

V. For the purposes of this Act the local Government shall form Districts and divisions of Districts, and shall prescribe, and from time to time may alter the limits of the Districts or divisions of Districts so formed.

Establishment of Register Offices.

VI. The local Government shall establish, in every District formed as aforesaid, an Office to be styled the District Register Office, and also such number of Divisional Register Offices as, in the judgment of the local Government, may be necessary for the purposes of this Act. A Register Office shall also be established in the several Presidency Towns of Calcutta, Madras, and Bombay, for the registration of Instruments under this Act.

What Public Officers to be District and Deputy Registrars.

VII. The Judge of the principal Court of Original Civil jurisdiction shall be the District Registrar of the District in which such Court may have jurisdiction. Provided that in the Presidency of Bombay the local Government may appoint the Assistant Judge in any District to be District Registrar of such District. Such of the Judges of the subordinate Courts, and of the Judges of the Courts of Small Causes, as the local Government may select, shall be Deputy Registrars of such Districts and Divisions formed as aforesaid. The local Government may appoint such other Public Officers as it may think proper to be Deputy Registrars of such Divisions. In each of the Presidency Towns aforesaid the local Government shall appoint an Officer to be called the Registrar of such Town.

Proviso for Bombay.

Persons not Public Officers may also be appointed.

It shall also be lawful for the local Government to appoint any other persons, not being Public Officers, to be Deputy Registrars of such Divisions.

Appointment of Deputy Registrars by Local Government.

VIII. The local Government shall appoint one or more Deputy Registrars to every one or more of the Divisions formed as aforesaid as to such local Government shall seem fit.

Provision for cases of absence or vacancies.

IX. In case of the absence of any Deputy Registrar, or of a vacancy occurring in the Office of any Deputy Registrar, it shall be lawful for the District Registrar to appoint any person whom he may think proper to take temporary charge of the Office of such Deputy Registrar, and to register Instruments in the same manner as if such person had been appointed to the Office by the local Government. In case of the absence of any District Registrar, or of a vacancy occurring in the office of any District Registrar, the Officer whose duty it is to carry on the judicial functions of the Officer who by this Act is District Registrar shall, during such absence or vacancy, be the District Registrar.

Salaries and Establishments.

X. It shall be lawful for the local Government, with the sanction of the Governor-General of India in Council, to assign such salaries as from time to time such local Government may deem proper, to the Registrar-General and Deputy Registrars appointed under this Act, or to provide for the remuneration by fees of such Deputy Registrars as shall not be Public Officers. It shall also be lawful for the local Government, with the like sanction, to allow such Establishments for the General Register Office and for the Offices of the several District and Deputy Registrars as may be necessary for the purposes of this Act.

General Rules.

Control of proceedings of Deputy Registrars.

XI. Every Deputy Registrar shall perform the duties of his Office under the superintendence and control of the District Registrar in whose District the Office of such Deputy Registrar shall be situate, and the District Registrars shall have authority to issue (whether on complaint or otherwise) any orders they may consider necessary in respect of any proceeding or omission of any Deputy Registrar subordinate to them. Provided that no order of a Deputy Registrar admitting or refusing to admit to registration any Instrument shall be reversed or altered, except on appeal to be presented within thirty days from the date of such order.

Proviso as to Registration admitted or refused.

Instruments in language not understood by Deputy Registrar.

XII. If any Instrument tendered for registration be in a language which the Deputy Registrar does not understand, such Instrument shall be referred by him to the District Registrar.

General control by Registrar-General.

XIII. The Registrar General shall exercise a general superintendence over all the Register Offices within his jurisdiction, and such Registrar-General shall have the power, for any sufficient reason, on the application of any party to any Instrument the registration of which has been refused by a District Registrar, either originally or on appeal from a Deputy Registrar, to order the same to be registered.

Power of Registrar-General to frame Rules.

XIV. The Registrar-General shall, for the guidance of the District and Deputy Registrars, have power from time to time to frame rules not inconsistent with the terms of this Act. The Rules so framed shall be submitted to the local Government, and after they shall have been approved by the local Government, they shall be published in the Official Gazette, and shall have the same force as if they were inserted in this Act.

Registration to be made at a Public Office.

XV. The registration of all Instruments under this Act shall be made only at the Public Office or Court of the Officer whose duty it shall be to register the same. Provided that any District Registrar or any Deputy Registrar with the sanction of the District Registrar may, on special cause being shown, attend at the place of residence of any party to any Instrument, or of any person desiring to deposit a Will, Codicil, or authority to adopt a son.

Proviso.

Seal of Office.

XVI. The General Registrar and the several District and Deputy Registrars shall use a Seal bearing the following inscription in English, and in such other language as the local Government shall direct: "The Seal of the Registrar-General" *(or of the Registrar or Deputy Registrar of)*.

Registry Books.

XVII. The local Government shall provide for the Office of every District and Deputy Registrar such books as may be necessary for the purposes of this Act. The books so provided shall contain such printed forms as shall from time to time be prescribed by the Registrar-General with the sanction of the local Government for the entries to be made therein, and for the indices to such books, and the pages of such books shall be consecutively numbered in print, and the number of pages in each book shall be certified on the title page by the Officer by whom such books shall be supplied.

Fire-proof boxes.

The local Government shall further supply the Office of every District Registrar with a fire-proof box to be used as hereinafter provided.

INSTRUMENTS TO BE REGISTERED.

Deeds of gift of immoveable property not to be recognized unless registered in proper time.

XVIII. No Instrument being a deed of gift of any immoveable property shall (except as provided in Section LXV of this Act) be received in evidence in any Court of Justice, or shall be acted on by any Public Officer, if such Instrument shall have been executed after the date on which this Act shall come into operation, unless the same be registered within the time prescribed by this Act.

Certain Instruments, if unregistered, not to be received in evidence.

XIX. No Instrument other than a deed of gift as provided in the last preceding Section, which purports or operates to create, declare, transfer, or extinguish any right, title, or interest of the value of one hundred Rupees or upwards in any immoveable property (except as provided in Section LXV of this Act, and not being a lease for a period not exceeding one year), and no Instrument which acknowledges the receipt or payment of any consideration on account of the creation, declaration, transfer, or extinction of any right, title, or interest of such value as aforesaid in any immoveable property (not being such a lease as aforesaid), shall be received in evidence in any Civil proceeding in any Court of Justice, or shall be acted on by any Public Officer, unless the same be registered within the time prescribed by this Act, if such Instrument shall have been executed after the date on which this Act shall come into operation.

Value of right, title, or interest affected by Instruments required to be registered, to be determined by Stamp affixed thereto.

XX. For the purposes of this Act, the value of the right, title, or interest in any immoveable property created, declared, transferred, or extinguished by any Instrument required to be registered under the last preceding Section, shall be taken to be the value indicated by the stamp affixed thereto or impressed thereon under Act X of 1862, *(to consolidate and amend the law relating to Stamp Duties)*, or under any other Act for the time being in force for regulating the Stamp Duties.

Instruments which may be registered under this Act.

XXI. From and after the date on which this Act shall come into operation, any of the following Instruments executed after the said date may be registered under this Act:—

1. Any Instrument which purports or operates to create, declare, transfer, or extinguish any right, title, or interest of value (indicated as provided in the last preceding Section) less than one hundred Rupees in any immoveable property.

2. Any Instrument which acknowledges the receipt or payment of any consideration on account of the creation, declaration, transfer, or extinction of any right, title, or interest, of such value as aforesaid, in any such immoveable property.

3. Any lease for a period not exceeding one year.

Further instruments which may be registered.

XXII. After the date on which this Act shall come into operation any of the following Instruments, executed after the said date, may be registered under this Act.

1. Any Instrument which purports or operates to create, declare, transfer, or extinguish any right, title, or interest in any moveable property.

2. Any Will, Codicil, or Authority to adopt a son.

3. Any private award of arbitration.

4. Any Deed, Bond, Contract or other Obligation.

TIME OF REGISTRATION.

When certain Instruments must be presented for registration.

XXIII. No Instrument of the descriptions mentioned in Section XVIII or Section XIX of this Act, which shall have been executed after the date on which this Act shall come into operation, shall be accepted for registration unless presented for that purpose to the proper Officer within three months from the date of the execution thereof.

Provision as to certain other instruments.

XXIV. No Instrument of the descriptions mentioned in Section XXI or Section XXII of this Act, (other than a Will, Codicil to a Will, or Authority to adopt a son) which shall have been executed before the date on which this Act shall come into operation, shall be accepted for registration unless such Instrument be presented for registration within twelve months from such date.

Provision as to certain Instruments executed after the Act comes into operation.

XXV. No Instrument of any of the descriptions mentioned in Section XXI or Section XXII of this Act (other than a Will, Codicil to a Will, or Authority to adopt a son) which shall be executed after the date when this Act shall come into operation, shall be accepted for registration unless presented within six weeks from the date of the execution thereof.

Time for Registration of Wills, &c.

XXVI. Any Will, Codicil to a Will, or Authority to adopt a son may at any time be registered in the manner hereinafter provided, by the person making such Will or Codicil, or giving such authority.

PLACE OF REGISTRATION.

Registration where to be made.

XXVII. Every Instrument which purports or operates to create, declare, transfer, or extinguish any right, title, or interest in any immoveable property, and any Instrument acknow-

ledging the receipt or payment of any consideration on account of the creation, declaration, transfer, or extinction of any right, title, or interest in any immoveable property, or any lease, shall be presented for registration in the Office of the Deputy Registrar within whose Division the property is situate. Every Instrument mentioned in Section XXII of this Act (not being a Will, Codicil to a Will, or Authority to adopt a son) shall be presented for registration in the Office of the Deputy Registrar within whose jurisdiction such Instrument is executed, or at any Registry Office, under the same local Government, at which all the parties to any such Instrument shall desire the same to be registered.

Registration of property situate in more than one Division of a District.

XXVIII. Every Instrument affecting immoveable property, the whole of which is not situate in one Division of a District, may be presented for registration to any Deputy Registrar in such District, within whose Division any part of such property is situate. It shall be the duty of such Deputy Registrar, after registering the Instrument forthwith, to make and forward a copy thereof endorsed in the manner hereinafter provided to the District Registrar, who shall register the same and forward an abstract of such Instrument, shewing the parties thereto and the date and substance thereof, to every Deputy Registrar in his District in whose Division any part of such property is situate, other than the Deputy Registrar in whose Office the same shall have been originally registered, and every Deputy Registrar who shall receive such abstract shall forthwith register the same.

Registration of Instruments affecting property situate in several Districts.

XXIX. Every Instrument affecting immoveable property, situate in more Districts than one, may be presented for registration to the District Registrar of any such District. It shall be the duty of the District Registrar in whose Office such Instrument is originally registered to cause to be made, and to forward to the District Registrar of every other District in which any other part of such property is situate, a copy of such Instrument, endorsed with an attestation, stating the date on which it was registered, and its number in his Register Book; and the District Registrar of any District receiving such copy so forwarded and endorsed, shall register the same as if it had been presented to him in the first instance, and shall forward a copy endorsed with such attestation as aforesaid to the Deputy Registrar of each Division of his District in which any part of such property may be situate, and such Deputy Registrar shall register the same in the manner prescribed for Instuments presented to him in the first instance.

Instruments for registration, by whom to be presented.

XXX. Every Instrument to be registered under this Act, not being a Will, Codicil to a Will, or an Authority to adopt a son, shall be presented at the Office of the Deputy or District Registrar in which such Instrument is to be registered, by all the parties thereto, or by the heirs, representatives, or assigns of such parties, or by the authorized Agents of such parties, or of their heirs, representatives, or assigns under a power of Attorney special or general. But no such power of Attorney shall be recognized for the purposes of this Act unless it shall have been delivered personally by the person executing the same to such Deputy or District Registrar. Provided that, where a person who shall have executed a power of Attorney is unable to attend personally, and such power is tendered to a District Registrar, such Registrar shall determine whether he will receive the same. If such power be tendered to a Deputy Registrar such Deputy Registrar shall only receive the same with the sanction of the District Registrar.

Mode of Registration.

Enquiry concerning identity of parties appearing before the Deputy Registrar who are not personally known to him.

XXXI. On the parties to any Instrument, their heirs, administrators, or assigns, or the authorized Agents of such parties, as provided by the last preceding Section appearing before the Deputy or District Registrar for the purpose of obtaining the registration of such Instrument, he shall proceed to enquire whether such Instrument was executed or not by all the parties thereto. If all the parties to the Instrument appear personally before the Deputy or District Registrar, and are personally known to him, or in case they are not personally known to him, if they satisfy him that they are the parties they represent themselves to be, and if they all admit the execution of the Instrument, or in the case of any party appearing by authorized Agent, if such Agent shall admit the execution of the Instrument, the Deputy or District Registrar shall register the same in the manner hereinafter provided. It shall be the duty of the District or Deputy Registrar to satisfy himself of the right of any person to appear as the heir, administrator, or assign of any party whom he shall claim to represent, or if any party shall appear by Agent, of the authority of such Agent. The Deputy or District Registrar shall enter in the Register Book the names in full of all the persons whose evidence he may take to prove such identity, right, or authority.

Powers of registration Officers to summon parties whose evidence is required.

XXXII. If any party to an Instrument shall require assistance to procure the attendance of any person whose testimony is necessary for the registration of such Instrument by a Deputy Registrar, such Deputy Registrar shall have power, if he be satisfied that such assistance is necessary, and if such person shall be within the Division of such Deputy Registrar, to issue a summons requiring such person to attend at the Office of such Deputy Registrar at a time to be named in such summons. If the person whose attendence is required is not in such Division, the party to the Instrument shall apply to the District Registrar, who, if he be satisfied that his assistance is required, shall issue a like summons for attendance at the Office of such Deputy Registrar. If the Instrument be presented for registration to a District Registrar he shall have the like powers of summoning persons to appear at his own Office, which are herein provided in respect of persons whose attendance is required at the Office of a Deputy Registrar. The provisions of the Regulations and Acts for procuring the attendance of witnesses,

for the examination, remuneration, and punishment of witnesses in suits before Civil Courts shall be of equal force and effect in respect of persons summoned to appear by a summons from a Deputy or a District Registrar under this Section.

Erasures or interlineations.

XXXIII. No Instrument shall be accepted for registration, if any interlineation, erasure, or alteration shall appear on such Instrument, unless the parties appearing to register the same shall attest with their signatures such interlineation, erasure, or alteration; and it shall be the duty of the District or Deputy Registrar, at the time of registering such Instrument, to make a note in the Register, of such interlineation, erasure, or alteration.

Date and time of presentation for registration.

XXXIV. The date and time on which every Instrument shall be presented for registration shall be endorsed on such Instrument at the time of presentation, and such endorsement shall be attested by the Deputy or District Registrar in whose Office such Instrument is presented for registration, and if such Instrument shall be admitted to registration, it shall be held to have been registered from the date and time so endorsed.

Entry in Register Book.

XXXV. Every Instrument admitted to registration shall be entered in its appropriate book according to the order of its presentation, and shall be numbered accordingly. The entry made in the Register shall shew the year, month, day, and hour of presentment, the character of the Instrument presented for registration, the names in full of the parties to the Instrument, and when the Instrument shall have been presented by the Agent, or by the heir, representative, or assign of any party, the name of such Agent, heir, representative or assign, and the names in full of every person whose evidence may have been taken under Section XXXII of this Act, after which the Instrument shall be entered in full. The entry made as is above prescribed, shall be signed by every party to the Instrument, or by his Agent, heir, representative, or assign, and by the District or Deputy Registrar.

Procedure after entry in Register.

XXXVI. The Instrument shall then be returned to the party who may have presented the same for registration, with an endorsement inscribed thereon, shewing the date of registration, the number of the book in which such registry shall have been made, and the page of the book on which such entry shall appear; and if the Instrument be a Bond or other written obligation for the payment of money, and the party liable to make such payment shall, in the presence of the District or Deputy Registrar, have declared his assent to the same being enforced without a regular suit, such assent shall in like manner be endorsed on such Instrument. The endorsement on the Instrument shall be certified by the seal and signature of the District or Deputy Registrar, and the Instrument thus endorsed shall be *primâ facie* proof, on the production thereof in any Court of Justice, that such Instrument has been duly registered in the manner provided in this Act. Provided that it shall be competent to the Court to require evidence of such registration, if it shall see sufficient cause for doing so.

Abstract of every Instrument registered in subordinate Office to be sent to General Register Office.

XXXVII. An abstract of every original Instrument affecting immoveable property registered in the Office of any Deputy Registrar shall, within three days, be forwarded, with an endorsement attesting the date on which it was registered and its number on the Register Book of such Registrar, to the District Registrar, and an abstract of every such Instrument registered in the Office of any District Registrar, whether originally or by transmission from the Office of a Deputy Registrar, shall from time to time, not less frequently than weekly, be forwarded, with an endorsement attesting the date on which it was registered and its number in the Register Book of such District Registrar, to the General Register Office.

Payment of fee per abstract.

XXXVIII. For every abstract required to be forwarded under the last preceding Section, and for every abstract or copy required under Sections XXVIII and XXIX of this Act, the same fee shall be paid as for the registration of the original Instrument.

Entry in General Register Office of Abstract of entry made by District Registrar,

XXXIX. On the receipt, in the General Register Office, of any abstract of any entry made in any Regigster by any District Registrar, the same shall be entered in the Book No. 1, 2, 3, or 4, described in Section LVI of this Act, as the case may be.

DECREES AFFECTING REGISTERED INSTRUMENTS.

Procedure in case of registered Instruments being declared to be invalid or forged.

XL. When any Civil Court, in the exercise of its original or appellate jurisdiction shall, by a decree or order, declare any Instrument before it relating to immoveable property, which shall have been registered under this Act, to be invalid or a forgery, or when such Court, in the exercise of such jurisdiction, shall pass any decree or order affecting any Instrument before it relating to immoveable property which shall have been registered under this Act, which decree, or order shall create, declare, transfer, limit, or extinguish any right, title or interest under any such Instrument of any person in such immoveable property, such Court shall cause a memorandum of such decree or order to be sent to the District or Deputy Registrar in whose District or Division such Instrument shall have been originally registered.

How notice or certificate to be dealt with.

XLI. Whenever any memorandum is received under the last preceding Section by any District or Deputy Registrar, a transcript thereof shall immediately be made in the margin of that part of the book in which there is any register of the Instrument relating to the immoveable property affected by such memorandum, and such District or Deputy Registrar shall forthwith transmit a copy of such memorandum to the Registrar General, and to every District and Deputy Registrar in whose Office such Instrument or any abstract of such Instrument is registered.

ENFORCEMENT OF REGISTERED BONDS AND OTHER INSTRUMENTS.

Bonds, &c., for sums below one hundred Rupees may be enforced under this Act without regular suit. Also for sums above that limit in certain cases.

XLII. A Bond or other written obligation for the payment of money not exceeding the sum of one hundred Rupees, which shall have been registered under the provisions of this Act, may be enforced without a regular suit as hereinafter provided. A Bond or other written obligation for the payment of money exceeding the sum of one hundred Rupees which shall have been registered under the provisions of this Act may in like manner be enforced. Proviso. Provided the parties to such Bond or other obligation as aforesaid shall, at the time of the registration thereof, have signified their assent to such Bond or other obligation as aforesaid being so enforced, and provided that such assent shall have been recorded at the foot of the memorandum of registration, required by Section XXXVI to be endorsed on Instruments registered under this Act.

But application for enforcement must be made within a period fixed.

XLIII. No Bond or other obligation as aforesaid shall be enforced under the provisions of the last preceding Section unless application for enforcement of the same be made within twelve months from the date on which the whole amount secured thereby became payable, and was not paid.

Court to which application may be made for enforcing claims under last Section.

XLIV. Any person who is desirous of enforcing a claim on a Bond or other obligation as aforesaid under Section XLII of this Act, may apply to any Court which would have had jurisdiction to try a regular suit on such Bond or other obligation as aforesaid, for enforcement of the same. Such application shall be treated as an application for the execution of a decree, and the provisions contained in Chapter IV of the Code of Civil Procedure (except Section 206) relating to execution of decrees shall, subject to the provisions hereinafter contained, be considered applicable thereto so far as the same can be applied.

Procedure of Court on receipt of application.

XLV. The Court to which such application is made shall cause a notice to be served on the person against whom the enforcement is claimed, calling on him to shew cause, within a time to be fixed by the Court, why execution for the amount stated in the application should not be issued against him.

Procedure in case of alleged debtor being about to quit jurisdiction, or to move property therefrom.

XLVI. If the person making the application shall satisfy the Court, that the party against whom the claim is made is about to leave the juridiction of the Court, or to dispose of or remove his property from the jurisdiction of the Court, in order to evade payment of the money claimed to be due by him, the Court may issue process of attachment against the person or property of such party. Whenever such attachment shall issue, the provisions contained in the Code of Civil Procedure relating to arrest and attachment before judgment shall be applicable.

And in case of his appearing, and shewing cause against issue of execution.

XLVII. If the person against whom execution is claimed shall attend within the time specified in the notice, and shew cause why execution should not be issued against him, the Court shall enquire into his objections, and shall pass such order as it shall think proper. Provided that no person shall in any such case be allowed to plead in bar of such execution, any plea other than that he was no party to the registration of the Bond or other obligation as aforesaid, or that such Bond or other obligation as aforesaid has been paid and satisfied, or that the amount claimed exceeds that which is remaining due on the Bond or other obligation as aforesaid, whether for principal or interest; or a denial of the representative character in respect of which execution is claimed against him.

Court may at discretion direct institution of suit, instead of enforcing Bond, &c., under this Act.

XLVIII. The Court to which application is made for enforcement of a Bond or other obligation as aforesaid under the foregoing Sections may, for any sufficient reason, instead of granting such application, order that a suit shall be brought on such Bond or other obligation as aforesaid.

Procedure in case of Court refusing to enforce Bond, &c., under Act.

XLIX. No suit between the same parties shall be entertained on any Bond or other obligation as aforesaid, the enforcement of which shall have been refused by the Court, on an application for enforcement made under Section XLIV of this Act, otherwise than as barred by lapse of time, unless the Court shall have directed a suit to be brought thereon; but all orders passed by the Court for issuing execution or refusing to issue execution on any Bond or other obligation as aforesaid, shall be open to appeal to the Court competent to hear appeals from decisions passed by the same Court in regular suits. Such appeal shall be subject to the provisions of the Code of Civil Procedure relating to appeals from orders, and shall be heard and determined under the rules of the said Code relating to such appeals.

Foregoing provisions not to bar institution of suit on Bond, &c., after lapse of period indicated.

L. Nothing in the foregoing Sections shall be held to prevent the holder of any Bond or other obligation as aforesaid, for the payment of money, from instituting a regular suit on the same, subject to the Rules of Limitation for the time being in force, instead of applying for enforcement of the same under Section XLIV of this Act.

REGISTRATION OF WILLS, CODICILS, AND AUTHORITIES TO ADOPT.

Wills, &c.

LI. Any person wishing to register his Will, a Codicil to his Will, or any Instrument giving authority to adopt a son after his decease shall, either personally or by a duly authorized Agent, deliver such Will or Codicil, or such Instrument, in a sealed cover superscribed with the name of the depositor, and the nature of the Instrument, to a District Registrar, who shall, if such person be not personally known to him, satisfy himself of the identity of such person, or if such Will, Codicil, or Instrument be presented by an Agent, of the authority of such Agent as provided in Section XXXI of this Act.

LII. On receipt of such sealed cover superscribed as is above provided, and if satisfied as aforesaid, the District Registrar shall enter the same in the Register of Deposits of Wills, Codicils, and Instruments giving authority to adopt, transcribing therein the superscription on such sealed cover, and noting in the Register and on the cover the year, month, day, and hour of such receipt, together with the name of the depositor and the names of each of the persons testifying to the identity of such depositor, and shall then place such sealed cover in a fire-proof box to be supplied by Government for that purpose.

Entry in Register of Wills.

LIII. Whenever, on the death of any depositor of any such sealed packet, application may be made to the District Registar in whose Office such sealed packet was deposited to open such packet, such District Registrar, after satisfying himself that such depositor is dead, shall, in the presence of the person making such application, open such sealed packet, and shall enter a copy thereof, to be made at the expense of the applicant, in a Register of Wills, Codicils, and Instruments giving authority to adopt a son. The District Registrar shall thereupon re-deposit the original Will, Codicil, or Instrument, until required to produce the same in a Court of Justice, any copy made under the provisions of this Section, and certified by the District Registrar to be a true copy, shall be evidence of the contents of the Will, Codicil, or Instrument giving authority to adopt, of which it purports to be such copy.

Procedure on application to open sealed packet, consequent on death of depositor.

REGISTRATION FEES.

LIV. Subject to the approval of the Governor-General in Council, the local Government shall prepare a table of fees which shall be payable for the registration of Instruments under this Act, and may from time to time, subject to the like approval, alter such table. A table of fees so payable shall be exposed to public view in every Office established for the registration of Instruments under this Act, and no Instrument shall be accepted for registration until the fee so prescribed for registration of such Instrument shall have been paid.

Local Government to prescribe, subject to approval, the fees to be charged for registration.

LV. All fees received under the provisions of this Act (not being fees payable under Section X of this Act to Officers who are paid by fees) shall be remitted to the Collector's Treasury, or to such other Treasury as the local Government shall direct, under such rules as the local Government shall from time to time issue, and be credited to Government.

Disposal of Fees.

REGISTERS.

LVI. In every General Register Office, and in the Office of every District and Deputy Registrar, four Books shall be kept, which shall be entitled—

Register Books.

1.—Register of absolute transfers of immoveable property.

2.—Register of other transfers of immoveable property.

3.—Register of awards of arbitrations.

4.—General Register of all other Instruments for the registration of which provision is made in this Act, and the entry of which is not required to be made in such other Registers as are hereinafter provided.

LVII. All entries made in such books shall be numbered in a consecutive numerical series, which shall commence and terminate with the year, a fresh series being commenced at the beginning of each year. Whenever any Instrument for the registration of which application may be made, refers to immoveable and also to moveable property, it shall be entered in Book No. 4 and also in Book No. 1, 2, or 3, as the case may be.

Entries in Registers.

LVIII. At the close of each year, two Indices shall be prepared for each Register, one containing the name of every party to every Instrument registered, and the other in the case of immoveable property, containing the name of the village or place where the property is situate, together with a description of the property, and its name, and such other particulars and in such form as the Registrar-General shall from time to time prescribe under Section XIV of this Act.

Indices.

LIX. Every District Registrar shall, in addition to the books prescribed in Section LVI of this Act, keep two books, to be entitled—

Register of deposits of Wills, and Codicils to Wills, and Instruments giving authority to adopt a son as provided in Section LII.

Register of Wills, Codicils, and Instruments giving authority to adopt a son as provided in Section LIII.

Register of Wills.

LX. The Registers in the General Register Offices, and in the Offices of the District and Deputy Registrars, shall be at all times open to inspection by any person applying to inspect the same, and certified copies of any entry in such Registers shall be given to all persons applying for such copies. A fee, to be prescribed in the Table of fees prepared under Section LIV of this Act, shall be paid by any person applying to inspect any Register, before such Register is opened to his inspection, and a fee of one Rupee over and above the charge of making the transcript shall be paid by every person requiring a copy of any entry in any such Register. The charge to be made for making copies of entries in the Register shall be regulated from time to time by the General Register Office. Provided that the Registers to be inspected under this Section shall be only the Registers No. 1, 2, and 3 specified in Section LVI, and the Register specified in Section LIII.

Inspection of Register and fees for inspection and copies of entries.

MISCELLANEOUS PROVISIONS.

LXI. A registered Instrument shall operate from the time from which it would have commenced to operate if no registration had been required or made, and not from the time of its registration.

Time from which Instrument shall operate.

LXII. It shall not be necessary for any Officer of Government to appear in person for the purpose of registering any Instrument, but when any Instrument is executed by or on behalf of Government, or by any Board, Commission, Court, or Public Office on behalf of Government, the Deputy or District Registrar to whom such Instrument is presented

Registry of Instruments executed by, or on behalf of, Government.

for registration may, if he deem it necessary, refer to the Head Officer of the Board, Commission, Court or Office on whose behalf such Instrument was executed, for information respecting the same, and on being satisfied of the execution thereof shall register the same.

False statements to be dealt with as the offence of giving false evidence.

LXIII. If any person shall wilfully make any false statement in any deposition or declaration made by him before any Officer acting in execution of this Act, in any proceeding or enquiry under the provisions of this Act, he shall be deemed guilty of the offence of giving false evidence as defined in Section 191 of Act XLV of 1860. (The Indian Penal Code).

Limits of action in certain cases.

LXIV. No action on an Instrument of the nature of the Instruments specified in Sections XXI, and XXII of this Act which shall have been executed after this Act came into operation, and which, though it could have been registered in the manner provided by this Act, shall not have been so registered, shall be entertained, unless such action, if it relate to immoveable property, shall be brought within two years, or, if it relate to moveable property, within six months from the date when the cause of action arose. Provided that nothing in this Section shall authorize any Court to receive any unregistered deed the registration of which, to make it admissible in evidence, is required by this Act. This Section shall not apply to any Will, Codicil, or Instrument giving authority to adopt a son.

Special provision respecting Instruments affecting immoveable property within certain jurisdiction.

LXV. No Instrument which purports or operates to create, declare, transfer, or extinguish any right, title, or interest in any immoveable property situate within the local limits of the Ordinary Original Civil Jurisdiction of any Court established by Royal Charter shall be deemed invalid, nor shall any such Court or any other Court of Justice or Public Officer refuse to receive such Instrument in evidence, or to act thereon, by reason of such Instrument not having been registered under this Act, nor shall the provisions of Section XL of this Act apply to any decree or order passed by any Court of Royal Charter in respect of any Instrument relating to any property situated as aforesaid.

Provisions of Section LXIV of this Act not to apply in certain cases.

LXVI. The provisions of Section LXIV of this Act shall not apply to any suit brought in any Court established by Royal Charter in the exercise of its Ordinary Original Civil Jurisdiction, or to any appeal from any decision passed in any such suit, nor shall the provisions of the said Section apply to any suit brought in any Court of Small Causes situate within the local limits of the Ordinary Original Civil Juridiction of any Court established by Royal Charter.

Commencement of Act.

LXVII. This Act shall come into operation on the 1st day of May 1864.

M. WYLIE,

Deputy Secy. to the Govt. of India,
Home Department.

Government of Bengal.

LEGISLATIVE DEPARTMENT.

THE following Bill was read in the Council of the Lieutenant-Governor of Bengal for the purpose of making Laws and Regulations on the 7th March 1863, and was referred to a Select Committee who are to report thereon after the 11th April next:—

A Bill to create a Municipal Corporation and to provide for the Conservancy and improvement of the Town of Calcutta.

Preamble.

WHEREAS it is expedient to vest the property and the management of the Municipal affairs of the Town of Calcutta in a Corporation, and to make better provision for the Conservancy and improvement of the Town; It is enacted as follows:—

Laws repealed.

I. Acts XIV and XXV of 1856, so far as they relate to the Town of Calcutta, and Act XXVIII of 1856, are hereby repealed respectively, except so far as they repeal any other Act, and except as to any assessment which shall have been made, or to any act or offence which shall have been done or committed, or to any fine or penalty which shall have been incurred, or to any money which shall have become due, or to any proceedings which have been commenced before this Act shall come into operation. Any sum of money due, or which may become due under any or either of the said Acts, may be levied and recovered under the provisions of this Act.

Interpretations.

II. The following words and expressions in this Act shall have the meanings hereby assigned to them unless there be something in the subject or context repugnant to such construction:—

"Town."

The word "Town" shall include all places within the local limits of the original jurisdiction of Her Majesty's High Court of Judicature at Fort William in Bengal.

"The Justices."

The expression "the Justices" shall mean the Corporation of "the Justices of the Peace for the Town of Calcutta," and the expression "resident Justices" shall mean any person who, for the time being, shall be a Member of that Corporation.

"Street."

The word "Street" shall mean any road, street, square, court, alley, or passage, whether a thoroughfare or not, over which the public have a right of way, and also the roadway over any public bridge or causeway within the said Town.

"Land."

The word "Land" shall include messuages, buildings, tenements, and hereditaments of any tenure.

"Month."

The word "Month" shall mean calendar month.

"Oath."

The word "Oath" shall include any affirmation or declaration lawfully substituted for an oath.

"Magistrate."

The word "Magistrate" shall mean any Magistrate of Police acting for the Town of Calcutta.

"Owner."

The word "Owner" shall mean the person for the time being receiving the rent of the land or premises in connection with which the word is used, whether

on his own account or as agent or trustee for any other person, or who would so receive the same if such land or premises were let to a tenant. Provided that no person receiving the rent of land or premises as agent for another person shall be liable to do anything by this Act required to be done by the owner of such land or premises, unless he have sufficient funds of the owner to pay for the same; nor shall he be subject to any penalty for omitting to do such act if he can prove that the default was occasioned by reason of his not having funds of the owner sufficient to defray the expense of doing the act required.

"Person." The word "Person" shall include a corporation.

Number. Words importing the singular number shall include the plural number; and words importing the plural number shall include the singular number.

Gender. Words importing the masculine gender shall include the feminine.

The Justices of the Peace in Calcutta to be a Corporation for purposes of this Act.

III. All Justices of the Peace for the time being resident in the Town of Calcutta shall, by the name of "The Justices of the Peace for the Town of Calcutta," be a body corporate and have perpetual succession and a common seal, and by such name shall sue and be sued.

Property now vested in Municipal Commissioners shall vest in the Justices.

IV. All property, moveable and immoveable, acquired, before the passing of this Act, by the Municipal Commissioners for the Town of Calcutta appointed under Act XXVIII of 1856, and now vested in them, or in any person in trust for them, shall, upon the coming of this Act into operation, vest in the Justices as Trustees for the purposes of this Act.

Municipal Fund. All monies received by the Justices by virtue of this Act, or of any other Act, all fines, fees, and penalties paid or levied under this Act, and all monies which may be assigned by Government for purposes of Conservancy and improvement in the said Town, shall constitute a fund, which shall be called the Municipal Fund of Calcutta, and shall, together with all property, of what nature or kind soever, which may become vested in the Justices, be under the direction, management, and control of the Justices in the manner hereinafter provided, and shall be applied to the purposes of this Act and of any other Act which hereafter may be in force for the Conservancy or improvement of the Town of Calcutta.

Appointment and removal of Chairman of Corporation.

V. The Lieutenant-Governor of Bengal shall, from time to time, appoint one of the said resident Justices to be Chairman of the Justices. Such Chairman shall be removeable from office by the Lieutenant-Governor if his removal be applied for by not less than two-thirds of the said resident Justices in a requisition addressed to the Lieutenant-Governor and signed by them, but not otherwise.

Nomination and appointment of Vice Chairman.

VI. The Justices at a meeting shall, before the day of next, nominate one of the said resident Justices to be Vice-Chairman of the said Corporation. Such nomination shall be subject to the approval of the Lieutenant-Governor of Bengal; and in the event of any nomination made by the Justices not being approved of by him, or of any vacancy occuring in the office of Vice-Chairman, the Justices shall forthwith proceed to make a fresh nomination, and so on, from time to time.

Appointment of Secretary, Surveyor, Engineer, Health Officer, and Assessor

VII. It shall be lawful for the Justices at a meeting, from time to time, to appoint proper persons to the several Offices of Secretary, of Surveyor, of Engineer, of Health Officer, and of Assessor for the Town of Calcutta. Every person so appointed, and every Vice-Chairman, shall be, in all things, under the immediate orders of the Chairman, and shall perform such duties as shall be assigned by him, and shall be removeable by the Justices by a resolution passed at a special meeting and in favor of which not less than two-thirds of the resident Justices shall have voted.

Chairman and Vice-Chairman to reside in Calcutta and not to engage in any other profession or trade.

VIII. Every Chairman and Vice-Chairman shall reside within the Town of Calcutta, and shall devote his whole time to the duties of his office; and no Chairman or Vice-Chairman shall have or engage in any other profession, trade, or business whatsoever; provided that nothing in this Act shall be

Proviso. deemed to prevent any Civil or Military Officer in the service of Government from holding the office of Chairman or Vice-Chairman so long as such Officer shall fill no other appointment; provided further, that it shall be lawful for any Chairman or Vice-Chairman to hold also the office of Commissioner of Police or Deputy Commissioner of Police for the Town of Calcutta if he shall be appointed to such office by the Lieutenant-Governor of Bengal.

Allowances of Chairman and Vice-Chairman.

IX. The Chairman and the Vice-Chairman respectively may receive such allowances out of the funds to be raised under this Act as shall be from time to time fixed by the Justices at a meeting. Provided that such allowance for any Chairman shall not exceed the rate of three thousand Rupees a month (exclusive of house rent), and that such allowance for any Vice-Chairman shall not exceed the rate of twelve hundred Rupees a month.

Salaries of Secretary, Surveyor, &c.

X. Every Secretary, Surveyor, Engineer, Health Officer, and Assessor, appointed as hereinbefore provided, may receive such allowance out of the funds to be raised under this Act as shall be from time to time fixed by the Justices at a meeting with the sanction of the Lieutenant-Governor of Bengal.

Appointment and remuneration of Overseers, Clerks, and Subordinate Officers.

XI. The Chairman may from time to time appoint all such Overseers, Clerks, and subordinate Officers and servants as he shall think necessary and proper to assist in the execution of this Act, and may from time to time remove any of such persons and appoint others in their place; and out of the funds applicable to the purposes of this Act he may, with the sanction of the Justices at a meeting, pay such allowances to the said persons respectively as he shall think reasonable. Provided that no person shall be appointed to, or removed from, any office the monthly salary of which exceeds two hundred Rupees, without the sanction of the Justices at a meeting.

Justices to grant leave of absence, &c., with sanction of Government.

XII. It shall be lawful for the Justices, with the sanction of the Lieutenant-Governor of Bengal, to grant such leave of absence to any Chairman or any Officer appointed under Sections VI or VII of this Act, and to make such arrangements for the carrying on the duties of his office during his absence on leave as shall to them seem proper; and it shall also be lawful for the Justices, with the like sanction, out of the funds applicable to the purposes of this Act, to pay to any Chairman or other Officer aforesaid such allowance during absence on leave as shall to them seem proper; provided that no greater expenditure from the funds shall be in any case incurred in the whole, by reason of any allowance paid under this Section, than would have been incurred had no leave been granted; provided also that nothing shall be done or resolved by the Justices under this Section except at a special meeting.

Proviso.

At Meetings of the Justices questions to be be decided by majority of votes. Chairman or Vice-Chairman to preside and have casting vote.

XIII. All acts authorized or required to be done by the Justices, and all questions that may come before the Justices for decision, shall, save as is herein otherwise provided, be done and decided by the majority of the resident Justices present at any meeting held in pursuance of this Act, the whole number present at the meeting not being less than five, exclusive of the Chairman and of the Vice-Chairman. It shall be the duty of the Chairman and of the Vice-Chairman to attend all such meetings, unless prevented by sickness or other unavoidable cause; and the Chairman, or in his absence the Vice-Chairman, shall be President, and shall have a second or casting vote in all cases of equality of votes. No business shall be transacted at any meeting at which neither the Chairman nor the Vice-Chairman is present, but the meeting shall be adjourned by the Senior Justice present, to such time as may seem to him fit.

No business to be transacted at a Meeting unless Chairman or Vice-Chairman is present.

Minutes of Proceedings of Justices to be kept, and to be open to inspection.

XIV. Minutes of the Proceedings of all Meetings of the Justices shall be drawn up, and fairly entered in a book to be kept for that purpose, and shall be signed by the President after each Meeting, and the said Minutes shall, at all reasonable times, be open, at the Office of the Justices, to the inspection of any of the said resident Justices without charge, and of any other person on payment of a fee of one Rupee.

Notice of all Meetings, except those held quarterly, to be given by Chairman or Vice-Chairman.

XV. Previous to any Meeting of the Justices held by virtue of this Act, save the quarterly Meetings hereinafter mentioned, a notice of the time and place of such intended Meeting shall be given seven clear days at least before such Meeting, by advertisement signed by the Chairman, or, in his absence, by the Vice-Chairman, and inserted in the Government Gazette and in at least one of the daily newspapers published in Calcutta.

Chairman or Vice Chairman to call Meetings as often as he thinks proper; and also at the requisition of ten Justices.

XVI. The Chairman, and, in his absence, the Vice-Chairman, shall have power to call a Meeting of the Justices as often as he shall think proper, and shall be bound to call a Meeting on a requisition signed by ten resident Justices at the least and requiring him to do so. In every case in which a Meeting is called, a summons to attend it, specifying the business proposed to be transacted thereat and signed by the Chairman or the Vice-Chairman, as the case may be, shall be left at the usual place of abode of every Justice resident in the Town seven clear days at least before such Meeting; and no business shall be brought before or transacted at the Meeting other than is specified in the notice.

Quarterly General Meetings to be held in January, April, July, and October.

XVII. There shall be four Quarterly Meettings in every year, at which the Justices shall meet for the transaction of general business. It shall not be necessary to give any notice of the business to be transacted at such Quarterly Meetings, and they shall be holden at noon on the first Monday in the months of January, April, July, and October respectively, or if any such Monday shall happen to be a holiday, then on the next succeeding day which shall not be a holiday.

Chairman or Vice-Chairman to sit daily for transaction of business and to exercise the powers of the Justices.

XVIII. The Chairman or Vice-Chairman shall, except upon such holidays as shall be allowed by Government, sit daily for the transaction of business connected with or arising under this Act, and, when so sitting, shall have all the powers vested by this Act in the Justices; and they may respectively exercise the like powers at all times in carrying out the orders of the Justices, or in executing any works sanctioned by them, and generally in the management of the business aforesaid. Provided that it shall not be lawful for the Chairman or Vice-Chairman to act in opposition to, or contravention of, any order of the Justices, or to exercise any power which it is by this Act expressly declared shall be exercised only by the Justices at a meeting.

Justices may appoint Committees.

XIX. It shall be lawful for the Justices at a meeting, from time to time, to appoint from among the resident Justices such and so many Committees, either of a general or of special nature, and consisting of such number of persons as they may think fit, for the purpose of reporting upon any matter connected with the Conservancy or improvement of the Town, or of advising and aiding the Chairman in the discharge of any portion of his executive duties, which, in the discretion of the Justices, would be better regulated or managed with the advice and aid of any such Committees; provided that the Chairman or the Vice-Chairman shall be a Member of every such Committee, and that the proceedings of every such Committee shall be submitted to the Justices at a meeting for their approval.

Proviso.

Budget Estimates of Income and Expenditure to be submitted annually to the Justices.

XX. At the first quarterly meeting held under this Act the Chairman shall lay before the Justices a Budget or Estimate prepared by him of the expenditure and income of the Municipality

from the date on which this Act shall come into operation up to the first subsequent day of May: and at the quarterly meeting to be held in the month of April in each year, the Chairman shall lay before the Justices a Budget or Estimate prepared by him of the expenditure and income of the Municipality for the financial year commencing on the 1st of May then next succeeding, in such detail and form as the Justices shall from time to time by order passed at a quarterly meeting direct. Provided always that such Budget shall be completed and printed, and a copy thereof sent to each of the Justices resident in Calcutta at least fourteen days before the meeting before which the Budget is to be laid.

The Budget of Expenditure to be divided into two parts.

XXI. The Budget shall shew what expenditure it is proposed to incur during the period to which it relates, and the manner in which it is proposed to meet such expenditure. The Budget of expenditure shall be divided into two parts; the first part shall be termed the Budget of Obligatory Expenditure; and the second part shall be termed the Budget of Optional Expenditure.

Budgets of Obligatory and Optional Expenditure what to contain.

XXII. The Budget of Obligatory Expenditure shall contain the estimated charges for the following Municipal services:—

Salaries.
Contingencies.
Maintenance and repair of existing works.
Execution of works already sanctioned at any Special or quarterly meeting.

The Budget of Optional Expenditure shall contain all other estimated charges.

Estimate of Income how to be divided, and what to contain.

XXIII. The Estimate of income shall be divided into two parts; the first part to be termed the Estimate of Ordinary Revenues; the second part to be termed the Estimate of Extraordinary Revenues.

The Estimate of Ordinary Revenues shall contain the estimated income from the following sources:—

Taxes absolutely fixed by Acts of the Legislature.
Taxes levied under authority of the Justices specially appropiated for the general charges or for particular objects.
Miscellaneous sources of Revenue specially appropriated for the general charges.

The Estimate of Extraordinary Revenue shall contain the estimated income from special rates and all other sources.

Revision and passing of Estimates.

XXIV. It shall be in the discretion of the Justices to pass or to reject, or to modify, the Estimates of all sums entered in the Budget: and it shall be lawful for the Lieutenant-Governor of Bengal to reduce the Estimate of Expenditure, whether Obligatory or Optional, if and as he shall think proper; and no work or or series of works, the entire estimated cost of which, as shewn in the Budget, shall exceed fifty thousand Rupees, shall be commenced without the sanction of the Lieutenant-Governor having been first obtained.

No work, the estimated cost of which exceeds 50,000 Rs., to be commenced without sanction of Government.

Mode of fixing the rate at which taxes shall be levied under this Act.

XXV. At the first quarterly meeting held under this Act the Justices shall fix the rates at which such taxes as are leviable under this Act shall be levied, from the date on which this Act shall come into operation, till the first day of May next ensuing; and at the quarterly meeting to be held in the month of April in each year the Justices shall fix the rates at which such taxes as are leviable under this Act shall be levied for the year commencing on the first day of May then next ensuing. The rates so fixed shall not be altered before the quarterly meeting held in the next succeeding month of April, except by a resolution passed by the Justices at a special meeting at which not less than two thirds of the resident Justices shall be present and vote.

Such rate not to be altered except at a Special Meeting.

Tax on carriages horses, &c.

XXVI. A tax, at a rate not exceeding the rates specified in the Schedule (A) to this Act annexed, shall be imposed upon all carriages, horses, ponies, and mules kept or used within the said Town, and shall be payable in advance. Provided that this Section shall not apply to or include,—Gun Carriages, or Ordnance Carts or Wagons: Cavalry horses, or horses of the Mounted Police: horses belonging to Officers doing Regimental duty at the Presidency, at the rate of one horse for each Officer: Conservancy carts, horses, ponies, or mules belonging to the Justices: or vehicles kept for sale, and not used for any other purpose, if kept by *bonâ fide* dealers in such vehicles.

Owners of carriages, &c., to take out license.

XXVII. The owner of every carriage, horse, poney, or mule so kept or used shall, on or before the 30th day of April and the 31st day of October in each and every year, forward to the Office of the Justices an application in writing signed by him, and containing a description of the vehicles and animals liable to the tax for which he desires to take out a license. The owner shall at the same time pay to the Justices such sum as shall be payable by him for the half-year commencing on the 1st of May or the 1st of November then next (as the case may be), for the vehicles and animals specified in such application, according to the rates given in the said Schedule. Any person becoming possessed, between the 30th day of April and the 31st day of October, or between the 31st day of October and the 30th day of April, of a carriage, horse, poney, or mule so kept or used, shall, within a week of becoming so possessed, send to the Office of the Justices a similar application, together with the full amount payable for the then current half-year according to the said Schedule, unless he shall be able to prove to the satisfaction of the Justices that the tax for the half-year has previously been paid.

On payment of the tax the Justices to give a license.

XXVIII. On receiving an application and the amount of tax as aforesaid the Justices shall give to the person forwarding the same a license for the vehicles and animals in respect of which the money is received. The owner of every carriage, horse, poney, or mule who shall have received a license for the amount of tax paid by him for any half-year, shall at all times during that half year be bound to produce the same when called upon to do so by the Justices or any person duly authorised by them to demand its production.

XXIX. If the owner of any carriage, horse, poney, or mule so kept or used as aforesaid shall not have in his possession a license granted under the last preceding Section, he shall, on conviction before a Magistrate, be liable to a fine not exceeding five times the amount of the tax which would have been payable by such person supposing him to have duly paid the same as soon as it became due; and the Justices or any Officer duly authorised by them may seize or cause to be seized any such horse, poney, mule, or carriage (provided the same be not employed at the time of seizure in the conveyance of any person), together with the horse, poney, or mule drawing the carriage, and may deliver them over to the Police, and all Police Officers are hereby required, on the application of the Justices or their Officers as aforesaid, to seize and detain the same. If the carriage, horse, poney, or mule seized be not claimed, and if the fine be not paid within ten days, it may be sold by auction by order of the Magistrate, and the proceeds applied to the payment of the fine and to the costs and charges incurred on account of the detention and sale; and the surplus (if any), if not claimed by the owner within a further period of twenty days, shall be paid to the Justices.

Penalty for keeping a carriage, &c., without having a license.

XXX. The Justices, at their discretion, may compound, for any period not exceeding one year, with livery stable-keepers and other persons keeping carriages and horses for hire, for a certain sum to be paid for the carriages and horses so kept by such persons in lieu of the taxes specified in the Schedule.

Justices may compound with Livery Stable-keepers and others.

XXXI. The Justices shall, from time to time, cause to be prepared and enter in distinct columns, in a book to be kept at the Office of the Justices and to be open to the inspection of any person who shall apply for leave to inspect the same, a list of the persons who, during the then current period of six months, shall have received a license under Section XXVIII of this Act and of the vehicles and animals in respect of which they may have paid.

List of persons liable to the horse and carriage tax to be entered in a book.

XXXII. The Justices may summon any person supposed to be liable to the payment of any tax under Section XXVI of this Act or any servant of such person, and may examine such person or servant as to the number and description of the horses and carriages in respect of which such person is liable to be taxed. If the person summoned shall, without lawful excuse, fail to appear in pursuance of the summons, he shall be liable, on conviction before a Magistrate, to a penalty not exceeding two hundred Rupees.

Power to summon persons liable to the payment of the tax.

XXXIII. Every cart any hackery kept and used within the said Town, and every cart and hackery plying for hire within the Town or let for hire and used within the said Town and kept at any place beyond the limits thereof, shall be registered in the Office of the Justices with the name and residence of the owner, and shall bear, in such manner as the said Justices shall direct, the number of such registration. Provided that this Section shall not apply to or include Ordnance or Commissariat or other Government carts or hackeries or Conservancy carts or hackeries belonging to the Justices.

Registry and numbering of Hackeries.

XXXIV. The registration of carts and hackeries under the last preceding Section shall be made and the numbers assigned annually upon such day in each year as the said Justices shall appoint, and a fee of six Rupees shall be paid for each registration. Any person becoming possessed within the year of any such cart or hackery which has not been registered, may obtain registration on application to the Justices at their Office and on payment of the said fee of six Rupees. When any registered cart or hackery is transferred within the year, it shall be registered anew in the name of the person to whom it has been transferred, and a fee of four annas shall be paid for every such last-mentioned registration.

Fee for registration.

XXXV. Whoever keeps any cart or hackery required by this Act to be registered, without being so registered, shall, on conviction before a Magistrate, be liable to a fine not exceeding five times the usual registration fee: and the Justices or any Officer duly authorized by them may seize or cause to be seized any such cart or hackery (provided the same be not employed at the time of seizure in the conveyance of any passengers or goods), together with the horses, bullocks, or other animals drawing the same, and may deliver them over to the Police: and all Police Officers are hereby required, on the application of the Justices or their Officers as aforesaid, to seize and detain the same. If the vehicle seized be not claimed, and if the fine be not paid within ten days, such vehicle, together with the animals seized with it (if any), may be sold by auction by order of a Magistrate, and the proceeds applied to the payment of the fine and to the costs and charges incurred on account of the detention and sale; and the surplus (if any), if not claimed by the owner within a further period of twenty days, shall be paid to the Justices.

Penalty for not registering a Cart or Hackery.

XXXVI. Every person keeping a shop or stall in the Town of Calcutta for the sale of any article or goods (whether such person be the proprietor of such shop or not), and every hawker, pedlar, or other person trading and selling goods by retail from house to house or in the public streets, shall register his name and residence in the Office of the Justices, and such registration shall be in force for one year; provided that it shall not be necessary for more than one person to register in respect of any one shop or stall. Upon registration a certificate, shewing such particulars as the Justices may direct, shall be delivered to the person on whose application the registration is made.

Registration of Shops and Hawkers.

XXXVII. The registration shall be made and the certificate assigned annually upon such day in each year as the Justices shall appoint, and a registration fee shall be paid by the applicant for registration according to the scale laid down in Schedule (B) to this Act annexed. Any person becoming possessed within the year of any shop liable to registry under this Act, but which has not been registered, may obtain registration on application to the Justices at their Office. When any registered shop or stall is transferred within the year, it shall be registered anew in the name of the person to whom it has been transferred, and a fee of two Rupees shall be paid for every such last-mentioned registration in the first

Fee for such registration.

class, and a fee of one Rupee for every such registration in the second or their class.

Penalty for selling goods in shop or streets without being registered.

XXXVIII. Whoever being legally bound to register his name and residence under Section XXXVI of this Act, but not being so registered, shall sell goods or expose them for sale in any shop or stall, or shall hawk or offer goods for sale by retail from house to house or in the public streets, shall be liable to a fine, if liable to registration in the first class, not exceeding one hundred Rupees, and if liable to registration in the second class, not exceeding fifty Rupees, and if liable to registration in the third class, not exceeding twenty Rupees. Any Officer duly authorised by the Justices may, at all reasonable times, require any person liable to registration under any of the provisions of the last two preceding Sections to produce the certificate of registry; and any such person who shall, when so required, neglect or refuse, without reasonable excuse, to produce his certificate, shall, on conviction before a Magistrate, be liable to a fine not exceeding fifty Rupees.

Rate on houses, buildings, and lands.

XXXIX. An annual rate not exceeding ten per cent. of their annual value may be imposed by the Justices upon houses, buildings, and lands in the said Town. Provided that it shall be at the option of the Justices, in lieu of such rate, to levy upon any lands unappropriated to any building, or upon any native huts with their appurtenances, a fixed rate not exceeding one Rupee for every one hundred square feet occupied by them respectively. Any rate levied under this Section shall be payable by the owners of the said lands, houses, buildings, and huts by quarterly instalments. Houses, buildings, and lands situate in Fort William, on the Esplanade of the Fort, and in Cooley Bazar, and buildings used exclusively as places of public worship, shall not be liable to any rate under this Act.

Proviso.

If assessment be made at a higher annual value than is paid by the tenant, owner may recover difference from him.

XL. If the annual value or fixed rate in the last preceding Section referred to shall in any case exceed the amount of rent payable by the lessee or tenant to the owner, the owner may in such case recover from the lessee or tenant the difference between the sum assessed upon him, and the sum at which he would have been assessed had he been rated only upon the amount of rent actually payable to him, and such difference shall be added to the rent payable by such lessee or tenant and shall be recoverable by the owner from him by such means and in like manner in all respects as such rent is recoverable.

Remission on account of vacant houses.

XLI. When any house shall have been vacant for sixty consecutive days during any year, the Justices shall remit so much, not exceeding one-half of the rate for that year as may be proportionate to the number of days the said house may have remained unoccupied; provided that the owner of such house or his Agent shall have given to the Justices notice in writing of the vacancy thereof, and that the amount of rate to be remitted shall be calculated from the date of the delivery of such notice.

Lighting-rate.

XLII. To provide for the lighting of the public streets of the said Town an annual lighting-rate, not exceeding two per cent. of their annual value, may be imposed by the Justices upon all houses, buildings, and lands in the said Town. Provided that it shall be at the option of the Justices, in lieu of such rate, to levy upon any lands unappropriated to any building, or upon any native huts with their appurtenances, a fixed rate not exceeding four annas for every one hundred square feet occupied by such last mentioned lands or huts with their appurtenances. Any rate imposed or levied under this Section, or under Section XLIV, shall be payable in quarterly instalments by the occupiers of the houses, buildings, huts, and lands upon which it may be imposed.

Proviso.

Gross proceeds of lighting-rate to be applied for purposes of lighting.

XLIII. The Justices shall cause the public streets of the Town to be sufficiently lighted; and the sum applicable annually to the current expenses of lighting the said streets, shall be the gross proceeds of the said Lighting-rate and no more; but the Justices may expend out of the funds at their disposal such further sums as may from time to time be requisite for the purchase, setting up, and maintaining of lamps, lamp-posts, pipes, and other necessary apparatus.

Proviso.

Water-rate.

XLIV. In order to provide for the better supply of water within the Town of Calcutta, an annual Water-rate, not exceeding two and a half per cent of their annual value, shall be imposed upon all houses, buildings, and lands in the said Town. Provided that it shall be at the option of the Justices, in lieu of such rate, to levy upon any lands unappropriated to any building, or upon any native huts with their appurtenances, a fixed rate not exceeding five annas for every one hundred square feet occupied by such last mentioned lands or huts with their appurtenances. No rate shall be imposed under this Section until a complete system for the supply of fresh water within the said Town, sanctioned by the Lieutenant-Governor of Bengal, shall have been carried out.

Proviso.

Occupier liable to the rate for time of occupation.

XLV. Every occupier shall be liable to the Lighting rate and to the Water-rate for the time of his occupation; and when any person shall have been an occupier for a part only of any quarter, the Justices shall charge him with only so much of the rate for that quarter as may be proportionate to the number of days during which he continued to be an occupier. No such rate shall be chargeable to any person on account of any unoccupied house for the time during which it may remain unoccupied. Provided always that when any person ceases to be the occupier of any premises liable to the rate, he shall give the Justices notice thereof, or, if he fail to give such notice, he shall be liable to the rate assessed on the said premises for the whole quarter, although they may have been occupied for a part only of such quarter.

Owner when liable.

XLVI. When any house or building or any land is let by the owner in apartments, flats, or portions, the owner shall be liable to pay the Lighting-rate and the Water-rate, instead of the occupier or occupiers.

Occupiers subletting.

XLVII. When any person, who rents from the owner any house or building or any land, sublets the same in apartments or portions, such person, for the purposes of Lighting-rate and of the Water-rate, shall be held to be the occupier.

Person liable to rate and leaving Calcutta during a quarter may be made at once to pay the rate up to date.

XLVIII. If during the course of any quarter the Justices shall have reason to believe that any person, who, if the current quarter had come to an end, would be liable to pay the House-rate, the Lighting-rate, or the Water-rate for that quarter, is about to remove from the Town of Calcutta forthwith, it shall be lawful for the Justices to declare such person liable to the immediate payment of the said rates or any of them from the commencement of that quarter up to the date of such declaration, and the amount of such rate for such time due from such person shall be leviable forthwith in like manner and in all respects as the said rates are in ordinary cases leviable.

Annual value how to be ascertained.

XLIX. The estimated gross annual rent at which the houses, buildings, and lands, liable to the rate or rates imposed under this Act upon houses, buildings, and lands according to the annual value thereof, might reasonably be expected to let from year to year, shall for the purposes of the rate be held and deemed to be the annual value of such houses, buildings, and lands. The value of a house or building so estimated shall not include the value of any machinery contained therein.

Annual value to be assessed by the Justices: assessment to remain in force for three years.

L. The annual value at which any lands, houses, buildings, or huts with their appurtenances are to be assessed, or the number of square feet on which they are to be rated under this Act, shall be fixed by the Justices, and such lands, houses, buildings, and huts with their appurtenances shall be assessed or rated upon the value or the number of feet so fixed for three years from the date on which it is so fixed, and on no other value or number. Provided that, if during the currency of the said period of three years any new building shall be erected on any land, or any substantial alteration and improvement shall be made in any premises, it shall be lawful for the Justices to cause the land or premises to be again assessed, even though the three years shall not have expired, and such last mentioned assessment shall be in force, and the rate shall be levied according to it, until the expiry of the said three years.

Value assessed or measurement to be entered in a book, &c.

LI. The annual value assessed, or the number of square feet fixed by the Justices as hereinbefore provided, shall be entered in a book to be kept at the Office of the Justices, wherein shall also be written in distinct columns the name of the owner of the property; or, if the occupier, and not the owner, is the person liable to pay the rate, the name of the occupier; a designation of the property either by name or number, sufficient to identify the same, together with the name of the street or district in which such property is situate, and the amount of the rate assessed or fixed thereon. The valuation which at the date of this Act coming into operation shall stand entered in the book kept at the Office of the Municipal Commissioners, under Section V of Act XXV of 1856, shall be taken to be the first valuation made under this Act, until such time as the Justices shall cause a new valuation or a measurement to be made.

Description of owner or occupier if name unknown.

LII. When the name of the owner or occupier is not known, it shall be sufficient to designate him in the said book, and also in any notice or other proceeding under this Act, as "the owner" or "the occupier" of the property on which the rate is assessed, without further description.

Returns may be required for purposes of valuation.

LIII. In order to enable the Justices to arrive at a fair valuation or measurement of any houses, buildings, or lands liable to the rate, it shall be lawful for the Justices to require the owner or occupier of such houses, buildings, or lands to furnish them with returns of the measurements and of the rent or annual value thereof; and for the like purpose, it shall be lawful for the Justices, or any person or persons appointed by them for that purpose, at any time to enter and inspect and measure such houses, buildings, or lands after having given forty-eight hours' previous notice of such their intention to the occupier thereof; and whoever refuses or fails to furnish any such return for the space of one week from the day on which he shall have been required so to do, or knowingly makes a false or incorrect return; and whoever hinders, obstructs, or prevents any one of the resident Justices, or any person appointed by the Justices as aforesaid, from entering or inspecting or measuring any such houses, buildings, or lands, shall be liable, on conviction before a Magistrate, to a penalty not exceeding two hundred Rupees.

Power to enter houses, &c.

Public notice of valuation and measurement to be given.

LIV. When the valuation and measurement have been completed, the Justices shall give public notice thereof, and of the place where the said book containing the valuation and measurement and the rate assessed, or a copy of the said book, may be inspected, by advertisement in the Government Gazette, and in at least one of the daily newspapers published in the Town of Calcutta, and also by placards posted up in conspicuous places throughout the Town; and the person in whose custody such book may be shall permit every person claiming to be the owner or occupier of property included in the assessment or measurement, or the agent of such owner or occupier, to inspect the book and to make extracts therefrom without payment of any fee; and every person who is not such owner or occupier, to inspect and make extracts in like manner on payment of a fee of one Rupee. Any person in charge of such book who shall wilfully neglect or refuse to permit the same to be inspected, or wilfully neglect or refuse to permit extracts to be made therefrom as aforesaid, shall be liable, on conviction before a Magistrate, to a penalty not exceeding fifty Rupees.

Notice of time of revising assessment.

LV. The Justices shall, at the time and in the manner in the preceding Section mentioned, give public notice of a day, not being less than fifteen days from the publication of such notice, when they will proceed to revise the said

valuation or measurement and assessment; and in all cases in which any property is for the first time assessed, or in which the valuation or measurement of any property previously assessed is increased, shall give special notice thereof to the owners or occupiers of such property. All appeals against such valuation or measurement and assessment shall be made to the Justices on or before the day fixed in the notice; and upon hearing such appeals the Justices shall make such amendments, if any, in the said book as they shall think proper.

After revision assessment book to be signed.

LVI. After the appeals have been enquired into, and after the revision of the valuation or measurement and assessment has been completed, the amendments, if any, made in the said book shall be authenticated by the seal of the Justices; and thereupon, and subject to such alterations and amendments as may thereafter be duly made, the rate so assessed shall be deemed to be the rate for the whole three years for which the assessment is made, which years shall commence on the 1st day of May next subsequent to the date of making such assessment.

Rate assessed to be deemed the rate for three years.

Alteration or amendment of assessment.

LVII. Provided always that the Chairman or Vice-Chairman, upon the representation of parties or other information, may at any time amend the said book, by inserting therein the name of any person whose name ought to be so inserted, or any property liable to the rate; or by striking out the name of any person or any property not liable to the rate, or by reducing the amount of the rate: and in all cases in which any property is inserted as liable to the rate, the amendment shall be considered to have been made at the time when the person interested first received notice thereof.

New assessment book need not be prepared every three years.

LVIII. It shall not be necessary to prepare a new book every three years, but the Justices may adopt the valuation or measurement and assessment contained in the book for any period of three years, with such alterations as may, in particular cases, be deemed necessary, as the valuation or measurement and assessment for the three years next following. Provided always that public notice of such valuation or measurement and assessment shall bo given in the manner prescribed in Section LIV of this Act; and the provisions of that and the three following Sections shall be applicable to the said valuation or measurement and assessment, and to the book or books in which it is contained.

Proviso.

Hearing of appeals.

LIX. Appeals against any rate or tax assessed or demanded by the Justices under the provisions of this Act, shall be heard and determined by not less than three resident Justices. But no such appeal shall be heard unless the amount of the rate or tax has been deposited with the Justices. The mode of proceeding in such appeals shall be the same as that hereinafter prescribed for the determination of matters referred to two Magistrates, or as near thereto as may be.

Assessment by Justices when to be final.

LX. The assessment by the Justices of any rate or tax, when no appeal therefrom is made as hereinbefore provided, and the adjudication of any appeal under Section LIX, shall be final and conclusive.

Bill to be presented.

LXI. When any rate or tax is due, the Justices shall cause to be presented to the person liable to the payment thereof a bill for the sum due, which shall also contain a statement of the period and a description of the property or thing for which the rate or tax is charged. If the bill be for any tax, it shall also contain a notice of the time within which an appeal against such tax may be preferred.

Notice of demand.

LXII. If the bill is not paid by the person liable to pay the same within five days from the presentation thereof, the Justices may cause to be served upon such person a notice of demand in the form contained in the Schedule (C) to this Act annexed, or to the like effect; and if he shall not, within five days from the service of such notice of demand, pay the sum due, or show sufficient cause to the satisfaction of the Justices, for non-payment of the same, and if no appeal shall have been preferred, such sum, with all costs, may be levied by distress and sale of the goods and chattels of the defaulter, or if the defaulter be the occupier of any house, building, or land in respect of which a rate is due, by distress and sale of any goods and chattles found on the premises, under a warrant in the form contained in the Schedule (D) to this Act annexed, or to the like effect, to be issued for that purpose by the Justices. For every notice of demand under this Section which the Justices shall cause to be served upon any person, a fee of one Rupee shall be paid by such person, which fee shall be added to the amount of the rate or tax in respect of which the notice is given, and if not duly paid shall be levied in the same manner as such rate or tax may be levied.

Distress.

Inventory—notice of distress.

LXIII. The Officer charged with the execution of a warrant of distress under the last preceding Section shall make an inventory of the goods and chattels seized under any such warrant, and shall at the same time give a notice in writing, in the form contained in the Schedule (E) of this Act annexed, to the person in possession thereof at the time of the seizure, that the said goods and chattels will be sold as therein mentioned.

Sale.

LXIV. If the warrant is not in the meantime discharged or suspended by the Justices, the goods and chattels seized shall be sold under the orders of he Justices, who shall apply the proceeds, or such part thereof as may be necessary, in discharge of the said arrears and costs; and the surplus, if any, shall be returned on demand to the person in possession of the goods and chattels at the time of the seizure.

Fees.

The fees payable upon distraints under this Act shall be such as are set forth in the Table of Fees in the said Schedule.

Goods of defaulter wherever found may be distrained.

LXV. The goods and chattels of any person from whom any rate or tax is due may be distrained, wherever the same may be found, for default in the payment of the money due from such person.

Rate due from owner may be recovered from occupier and deducted by him from his rent.

LXVI. If the sum due on account of any rate from the owner of any house building, or land remains unpaid, after notice of demand has been duly served, the Justices may demand the amount from the occupier for the time being of such house, building, or land, and, on non-payment thereof, may recover the same by distress and sale of any goods and chattels found on the premises; and in such case, the occupier may deduct from the next and following payments of his rent the amount which may be so paid by or recovered from him. Provided that no arrear of rate which has remained due from the owner of any house, building, or land, for more than one year, shall be so recovered from the occupier thereof.

Distress not unlawful for want of form.

LXVII. No distress levied by virtue of this Act shall be deemed unlawful, nor shall any party making the same be deemed a trespasser, on account of any defect or want of form in the notice, Schedule, summons, notice of demand, warrant of distress, inventory, or other proceeding relating thereto, nor shall such party be deemed a trespasser *ab initio* on account of any irregularity afterwards committed by him; but all persons aggrieved by such irregularity, may recover full satisfaction for the special damage in any Court of competent jurisdiction.

Commissioner may sue instead of proceeding by distress.

LXVIII. Instead of proceeding by distress and sale, or in case of failure to realize by distress the whole or any part of the sum due in respect of any rate or tax, the Justices may sue the person liable to pay the same in any Court of competent jurisdiction.

Service of notices.

LXIX. Every notice, Schedule, summons, or notice of demand regarding any assessment, rate, or tax, or any money due due in respect of the same, may be served personally upon the person to whom the same is addressed, or be left at his usual place of abode with some adult male member or servant of his family, or, if it cannot be so served, may be put up on some conspicuous part of such place of abode, and shall thereby be deemed to be duly served. Provided that, if the

Proviso.

place of abode of the owner of any house, building, or land in respect of which a rate is assessed be unknown, or if the owner of any such house, building, or land be not resident within the limits of the Town of Calcutta, every such notice, summons, or notice of demand shall be deemed to be duly served if put up on some conspicuous part of the house, building, or land in respect of which the rate is assessed.

Assessment not to be impeached if the directions of the Act are in substance complied with.

LXX. No assessment and no charge or demand of a rate or tax, made under the authority of this Act, shall be impeached or affected by reason of any mistake in the name of any person liable to pay the rate or tax, or in the description of any property or thing liable to the rate or tax, or any mistake in the amount of assessment, provided the directions of this Act be in substance and effect complied with; and no proceedings under this Act shall be quashed or set aside for want of form in any Court of Justice.

Drainage.

LXXI. The Justices shall carry out such a complete system of sewerage and drainage within the said Town as shall be directed by the Lieutenant-Governor of Bengal, subject to such alterations as may from time to time be ordered by him; and until such system has been completed, and all the expenses thereof defrayed, and all monies borrowed for the payment of such expenses have been repaid, the Justices shall set apart for the purposes above-mentioned an annual sum of not less than one hundred and fifty thousand Rupees, out of the proceeds of the rate provided by Section XXXIX of this Act.

Drainage rate on houses in the environs of Town.

LXXII. The Lieutenant-Governor of Bengal may determine what portions, if any, of the environs of the Town shall be included in the said system of sewerage and drainage, and may declare the boundaries thereof by notification in the Government Gazette. An annual rate to be fixed from time to time by the said Lieutenant-Governor, not exceeding two and a half per cent of their annual value, may be imposed upon all houses, buildings, and lands situated within the boundaries so notified, and the same shall be payable by the owners thereof in quarterly instalments. For the purposes of the said rate, the houses, buildings, and lands situated within such boundaries as aforesaid, shall be held to be a part of the Town; and all the provisions of this Act which relate to the assessment and collection of rates payable by owners, shall have effect in respect to such rates.

Justices may erect wharves &c., on river and canal banks, and levy fees for goods landed thereon.

LXXIII. It shall be lawful for the Justices, with the sanction of the Lieutenant-Governar of Bengal, to erect wharves, jetties, or quays in any river or canal bordering upon lands held by the Justices as the property of the Town of Calcutta. And it shall be lawful for the Justices to levy upon all goods shipped or landed at any such quay, wharves, or jetties, wharfage and porterage fees, according to a scale to be laid down from time to time by the Justices with the sanction of the Lieutenant-Governor of Bengal.

Goods landed on wharves, &c., may be detained until fees are paid.

LXXIV. It shall be lawful for the Officers appointed by the Justices to superintend the landing and shipment of goods from the quays, wharves, and jetties aforesaid, to detain any such goods until the wharfage and other charges due thereon shall have been paid.

Mortgage of rates.

LXXV. It shall be lawful for the Justices, with the sanction of the Lieutenant-Governor of Bengal, to borrow and take up at interest, on the credit of the rates and taxes imposed and levied on account of the Municipal Fund under this or any other Act passed in that behalf, or of a portion of them, any sums of money necessary for defraying any expenses incurred or to be incurred by them in the execution of this or any such Act; and for the purpose of securing the re-payment of any sums so borrowed, together with such interest as aforesaid, the Justices may mortgage and assign over, to the person by or on behalf of whom such sums shall be advanced, the rates and taxes or the portion of them upon the credit of which such sums shall be borrowed. Provided always

that the money borrowed under the authority of this Act shall be borrowed only for works of a permanent nature, and shall not at any time exceed in the whole ten times the average annual sum received and collected on account of the Municipal Fund.

Justices may keep a register of births and deaths, and appoint Registrars.

LXXVI. It shall be lawful for the Justices to keep in their Office a Register of all births and deaths in the Town of Calcutta, and for this purpose they shall divide the Town into such and so many districts as they shall think fit, and for every such District they shall appoint a person to be Registrar of births and deaths within such District.

Every Registrar to live in his District; lists of Registrars to be published, &c.

LXXVII. Every Regisrtar shall dwell within the District of which he is Registrar, and shall cause his name, with the addition of Registrar for the District for which he shall be so appointed, to be placed in some conspicuous place on or near the outer door of his own dwelling house; and the Justices shall cause to be printed and published a list of the name and place of abode of every Registrar in the Town.

Justices to have Register books prepared and numbered.

LXXVIII. The Justices shall cause to be prepared and printed a sufficient number of Register Books for making entries of all births and deaths which may take place in the Town of Calcutta according to the forms prescribed in Schedules (F.) and (G.) to this Act annexed, and the pages of such book shall be numbered progressively from the beginning to the end.

Registrar to inform himself and register births and deaths.

LXXIX. Every Registrar shall inform himself carefully of every birth and of every death which shall happen in his District after the day of next, and shall learn and register, as soon as conveniently may be after the event, without fee or reward, the particulars required to be registered, according to the forms in the said Schedules (F.) and (G.) respectively, touching every such birth and every such death as the case may be, which shall not have been already registered, every such entry being made in order from the beginning to the end of the book.

Information of births to be given within forty-two days.

LXXX. The father or mother of every child born in the Town, or in case of the death, illness, absence, or inability of the father and mother, the occupier of the house or tenement in which such child shall have been born, shall, within one month next after the day of every such birth, give information to the Registrar of the District, according to the best of his or her knowledge and belief, of the several particulars hereby required to be known and registered touching the birth of such child. Any person whose duty it shall be to give information to a Registrar under this Section, who shall refuse or neglect to give such information, shall be liable to a penalty not exceeding one hundred Rupees.

Information of deaths to be given.

LXXXI. Some person present at the death, or in attendance during the last illness of every person dying in the Town, or in case of the death, illness, inability, or default of all such persons, the occupier of the house or tenement, or if the occupier be the person who shall have died, some inmate of the house or tenement in which such death shall have happened, shall, within eight days next after the day of such death, give information to the Registrar of the District, according to the best of his or her knowledge and belief, of the several particulars hereby required to be known and registered touching the death of such person. Any person who shall refuse or neglect to give any information which it is his duty to give under this Section, shall be liable to a penalty not exceeding one hundred Rupees.

Person giving information to sign the Register.

LXXXII. Every person by whom the information contained in any Register of Births or Deaths under this Act shall have been given, shall sign in the Register his name, description, and place of abode; and no such registration shall be deemed to be complete or of any effect until such person shall have so signed it.

Account of population to be taken.

LXXXIII. At such times and in such manner as shall be directed from time to time by the Justices, an account shall be taken of the number of persons who, at the time of taking such account, shall be within the Town of Calcutta, and the persons employed in taking such account shall set down the several particulars respecting the same which are hereinafter prescribed.

Chairman to superintend the taking an account of the population.

LXXXIV. The Chairman shall superintend the taking of such account, and shall cause to be prepared and issued, for the use of the persons to be employed, such forms and instructions as he shall, with the sanction of the Lieutenant-Governor, deem necessary, and all the expenses incurred shall be defrayed out of the Municipal Fund.

Enumeration Districts.

LXXXV. Each Police division of the Town shall be formed into one or more enumeration Districts.

At the appointed time occupiers of houses shall give the required information.

LXXXVI. At such times as shall be appointed under Section LXXXIII. of this Act, and as shall be notified in the Official Gazette by the Lieutenant-Governor of Bengal, every occupier of a dwelling house, or of any part of a dwelling house distinctly occupied, and every person to whom a Schedule, as hereinafter provided, may have been delivered, shall afford such information in regard to all persons who were abiding in his house or in the place under his charge on the night immediately preceding, and in such manner as may, under this Act, be lawfully required of them.

Persons to be employed as enumerators.

LXXXVII. The Chairman shall select a sufficient number of competent persons to act as enumerators; and every such enumerator, under the direction of the Chairman, shall visit every house within his District, except as hereinafter provided, and shall take an account in writing of the name, sex, age, caste, nationality, and occupation of every living person who shall abide therein on the night immediately preceding the day appointed as aforesaid, and shall also take an account of the occupied houses, and the houses then building and therefore uninhabited, and also of all other uninhabited houses

within his District, and in all respects conform to, and obey the instructions which may be issued to him by the Chairman in this behalf.

Schedules.

LXXXVIII. The Chairman, when he may deem such a course to be advisable, may cause a schedule, in such form as shall be sanctioned by the Lieutenant-Governor, to be delivered to any occupier of any dwelling house who he shall have ascertained to be able to write, and such occupier shall fill in all the particulars required in the form on the day to be appointed, and shall deliver the same to such persons as may be duly authorized to demand the same.

Military and Naval Officers and others, if required, to act as enumerators.

LXXXIX. Any Military or Naval Officers in command of bodies of Military or Naval men, or of Vessels of War, or any Master of a Merchant Vessel or Nacodah or Tindal of a vessel or boat, or any person in charge of a Lunatic Asylum, Hospital, or Prison, or of any public or private charitable or scholastic institution, or any keepers of Hotels or Lodging-houses, shall, if required, act as enumerators for the purpose of taking account of persons under their command or charge or abiding in their houses on the night previous to the day to be appointed; every person so required to act as an enumerator shall receive and conform to all instructions in writing which may be issued to him by the Chairman in that behalf.

Returns of houseless persons.

XC. The Chairman shall obtain, by such ways and means as shall appear to him best adapted for the purpose, and as shall be sanctioned by the Lieutenant-Governor, returns of the particulars required by this Act with respect to all houseless persons and all persons who, during the said night of the day to be appointed, were on out-door night duty, or for any other reason were not abiding in any house of which account is to be taken by the enumerators.

Streets and roads vested in the Justices.

XCI. All public streets and roads (not being the property and kept under the control of the Government), existing at the time of the passing of this Act, or which shall afterwards be made, and the pavements, stones, and other materials thereof, and also erections, materials, implements and other things provided for such streets and roads, shall vest in and belong to the Justices.

Power to make and improve streets and roads.

XCII. The Justices, with the consent of the Government of Bengal, may lay out and make new streets and roads, and may build and construct bridges and tunnels; and may turn, divert, discontinue, or stop up, any public street or road; and may widen, open, enlarge, or otherwise improve, any such street or road; making due compensation to the owners and occupiers of any land, houses, or buildings which may be required for any such purposes.

Power to take land adjoining new streets for building purposes.

XCIII. In laying out new streets, in addition to the land required for the carriage-ways and foot-ways thereof, the Justices, with the consent of the Government of Bengal, may purchase also the land necessary for the houses and buildings to form the said street, and may sell and dispose of the same with such stipulations and conditions as to the class and description of houses or buildings to be erected thereon as they shall think fit. Provided that, if any land be taken under the provisions of this Act, compensation shall be made to the owners for any damage which may be done thereby to any adjoining land or buildings of such owner.

Compensation for damage to adjoining land.

Power to agree for purchase of land for improving streets or roads or for other Municipal purposes.

XCIV. The Justices, with the consent of the Government of Bengal, may agree with the owners of any land for the absolute purchase thereof for the purpose of laying out and making new streets and roads, or of widening, enlarging, or otherwise improving any of the public streets or roads, or for any other purpose whatever connected with the conservancy or general improvement of the Town.

Maintenance and repair of streets and roads.

XCV. The Justices shall, so far as the funds at their disposal will admit, from time to time cause the public streets and roads to be maintained and repaired; and from time to time may cause the same to be paved, metalled, flagged, channelled, sewered, or otherwise improved, and the surface thereof to be raised, lowered, or altered, as they may think fit; and may also make and keep in repair any foot-ways for the use of passengers in any such street or road, and also from time to time place on the sides of such foot-ways or otherwise such fences and posts as may be needed for the protection of foot-passengers.

Foot-ways.

Cleansing streets.

XCVI. The Justices shall cause the streets, including the foot-ways thereof, to be regularly swept and cleansed; and the dust, dirt, ashes, rubbish, and filth of every sort found thereon, to be collected and removed.

Dust boxes in streets.

XCVII. The Justices may cause any number of moveable or fixed dust-boxes or other convenient receptacles, wherein dust, dirt, ashes, and rubbish may be temporarily deposited until removed and carried away, to be provided and placed in proper and convenient situations, and may require the occupiers of houses in streets to cause all such matter as aforesaid to be deposited daily or otherwise periodically in the said receptacles. Every person who, after such receptacles have been provided, and after such requisition as above-mentioned, shall deposit, or cause or permit to be deposited, any such matter in any street except in such receptacles, shall be liable to a penalty not exceeding ten Rupees for each offence.

Depositing dirt on streets, &c.

XCVIII. Whoever deposits, or permits his servants to deposit, any dust, dirt, dung, ashes, garden kitchen or stable refuse, or filth of any kind, or any animal matter, or any broken glass or earthenware, or other rubbish, in any street or on any public quay, jetty, ghaut, or landing place, or on any part of a river-bank whether above or below high-water mark, except in such places and in such manner and at such hours as shall be fixed by the Justices, shall be liable to a penalty not exceeding ten Rupees for each offence.

Allowing sewerage to flow on streets.

XCIX. Whoever causes or allows the water of any sink or sewer, or any other offensive liquid matter belonging to him or being on his land, to run, drain, or be thrown or put upon any street, or causes or allows any offensive matter from

any sewer or privy to run, drain, or be thrown into a surface drain in any street, shall be liable to a penalty not exceeding ten Rupees for each offence.

Removal of night-soil.

C. The Justices from time to time may fix the hours within which only it shall be lawful to remove any night-soil or other such offensive matter. When the Justices have fixed such hours and given public notice thereof, whoever removes or causes to be removed along any street any such offensive matter at any time, except within the hours so fixed, and also whoever, at any time, whether such hours have been fixed by the Justices or not, uses for any such purpose any cart, carriage, or other receptacle or vessel not having a covering proper for preventing the escape of the contents thereof, or of the stench therefrom, or who slops or spills any such offensive matter in the removal thereof, or who does not carefully sweep and clean every place in which any such offensive matter has been slopped or spilled, or who places or sets down in any public place any vessel containing such offensive matter, or who drives or takes or causes to be driven or taken any cart, carriage, receptacle, or vessel used for any such purpose as aforesaid, through any street or by any route other than such as shall from time to time be by public notice appointed for that purpose by the Justices, shall be liable to a penalty not exceeding twenty Rupees for each offence.

Places of deposit for filth.

CI. The Justices, from time to time, shall appoint or provide places convenient for the deposit of the night-soil, dung, and other filth, and the dust, dirt, ashes, and rubbish collected and removed under the authority of this Act; and for keeping all cattle, carts, implements, and other things required for the above or any of the purposes of this Act; and for any of such purposes the Justices may purchase or take on lease any land or buildings by them considered necessary, or may cause any new building to be made upon any land to be purchased or hired by them.

All rubbish, &c., collected to be the property of the Justices.

CII. All dirt, dust, ashes, rubbish, sewerage, soil, dung, and filth, collected from the streets, houses, privies, sewers, and cess-pools, shall be the property of the Justices, who shall have power to sell or dispose of the same as they may think proper, and the money arising from the sale thereof shall be applied to the purposes of this Act.

Watering streets.

CIII. The Justices, so far as the funds at their disposal will admit, and so far as they may deem requisite for the public convenience, shall cause the public streets and roads to be watered; and for that purpose may provide such works and engines as they may think necessary.

Future obstructions in streets or roads.

CIV. Whoever builds any wall, or erects or sets up any fence, rail, post, or other obstruction or encroachment, in any public street or road, or in or over any open drain, sewer, or aqueduct along the side of any such street or road after the passing of this Act, shall be liable to a penalty not exceeding one hundred Rupees; and the Justices shall have power to remove any such obstruction or encroachment; and the expense of such removal shall be paid by the person erecting the same, and shall be recoverable as hereinafter provided. Nothing herein contained shall prevent the Justices, with the concurrence of the Commissioner of Police, from allowing any temporary erections in any public street or road on occasions of festivals and ceremonies.

Power to remove.

Temporary obstruction on occasions of festivals, &c.

CV. Whoever displaces, takes up, or makes any alteration in the pavement, flags, or other materials, or in the fences or posts of any public street, without the consent in writing of the Justices, or without other lawful authority, shall be liable to a penalty not exceeding fifty Rupees.

Taking up pavements.

CVI. Every person who wishes to make or lay out any new streets, shall give notice in writing thereof to the Justices, shewing the intended level and width of such street; and the level and width of every such street shall be fixed or approved by the Justices; and whoever lays out, makes, or builds upon, any such street, otherwise than in accordance with the level and width so fixed or approved, shall be liable to a penalty not exceeding five hundred Rupees; and the Justices may, if they think fit, cause any such street, laid out or made at a level or width otherwise than in accordance with the level or width so fixed or approved as aforesaid, to be altered; or may cause any building erected in any such street otherwise than in accordance with such level and width, to be altered, or if necessary removed, and the expenses thereby incurred shall be paid to them by the offender and be recoverable as hereinafter provided. If no such level or width be fixed, and no approval or disapproval of the level or width proposed be signified by the Justices within one month, the intended street may be laid out and made upon the level and of the width specified in the notice.

Private persons laying out new streets.

Proviso.

CVII. It shall not be lawful for any person to erect, in or near any street, any hut or any range or block of huts on any plot or parcel of ground not previously built upon or on which no huts are standing, without previous notice to the Justices; and the Justices may require such hut or huts to be built so that they may stand in regular lines with a free passage or way in front of each line, of such width as the Justices may think proper for salutary ventilation, and to facilitate scavengering, and at such a level as will admit of sufficient drainage. And if any such hut or huts be built without giving such notice to the Justices or otherwise than as required by the Justices, the Justices may give notice to the builder or builders thereof to take down and remove the same within one month, and if such hut or huts be not taken down or removed according to such notice, the Justices may cause the same to be taken down and removed, and the expense incurred in doing so shall be paid by the said builder or builders, and shall be recoverable as hereinafter provided.

Erection of new huts to be under the control of the Justices.

CVIII. Whenever the Justices are satisfied, from inspection or by report of competent persons, that any existing block of huts, in or near any street, is by reason of the manner in which the huts are huddled together, or of the want of drainage and the impracticability of scavengering, attended with risk of disease to the

Power of Justices as to existing huts.

inhabitants or the neighbourhood, they may, with the consent of the Government of Bengal, cause a notice to be fixed to some conspicuous part of such block of huts, requiring the owners or occupiers thereof, or, at the option of the Justices, the owner of the land on which such huts are built, within a reasonable time to be fixed by the Justices for that purpose, to execute such operations as the Justices with such consent as aforesaid may deem necessary for the avoidance of such risk. And in case such owners or occupiers, or the owner of the land, shall refuse or neglect to execute such operations within the time appointed, the Justices may cause the said huts to be taken down, or such operations to be performed in respect of such huts, as the Justices may deem necessary to prevent such risk. If such huts be pulled down, the Justices shall cause the materials of each hut to be sold separately, if such sale can be effected; and the proceeds shall be paid to the owner of the hut, or if the owner be unknown, or the title disputed, shall be held in deposit by the Justices until the person interested therein shall obtain the order of a competent Court for the payment of the same. The Calcutta Court of Small Causes shall be deemed a competent Court for that purpose.

Paving, &c., of private streets.

CIX. If any street (not being a public street), or any part thereof, be not levelled, paved, metalled, flagged, channelled, and sewered to the satisfaction of the Justices, they may, by notice in writing to the respective owners or occupiers of the premises fronting, adjoining, or abutting upon, such parts thereof as may need to be levelled, paved, metalled, flagged, channelled, and sewered, require them to level, metal, pave, flag, channel, and sewer the same within a time to be specified in such notice, and upon non-compliance the Justices may, if they think fit, execute the works mentioned or referred to therein: and the expenses incurred by them in so doing shall be paid by the owners in default according to the frontage of their respective premises, and in such proportion as shall be settled by the Justices, or in case of dispute, as shall be settled in the manner hereinafter provided for the settlement of disputes respecting damages and expenses; and such expense shall be recoverable as hereinafter provided.

Proviso.

Provided always that, after such street shall have been so levelled, paved, metalled, flagged, channelled, and sewered, on the requisition of the Justices, or by the Justices as aforesaid, at the expense of the owners, such owners shall have a right to require that the street shall be declared a public street, to be from time to time repaired by the Justices out of the funds at their disposal for the purposes of this Act.

Certain streets to be deemed public and repaired by the Justices.

CX. If any street (not being a public street) be levelled, paved, metalled, flagged, channelled, and sewered to the satisfaction of the Justices, they may, if they think fit, by notice in writing put up in any part of such street, declare the same to be a public street, and thereupon the same shall become a public street, and be from time to time repaired by them out of the funds at their disposal.

Proviso.

Provided that no street shall become a public street as last aforesaid if within one month after such notice in writing, the owner of such street, or any one of the owners, shall, by notice in writing to the Justices, object thereto.

Houses may be set forward for improving line of streets.

CXI. The Justices may, upon such terms as they think fit, allow any house or building to be set forward for improving the line of any public street in which such house or building is situated.

Houses projecting beyond line of street, when taken down, to be set back.

CXII. When any house or building, any part of which projects beyond the regular line of a public street, or beyond the front of the house or building on either side thereof, has been taken down in order to be re-built or altered, the Justices may require the same to be set back to or towards the line of the street or the line of the adjoining houses or buildings.

Proviso.

Provided always that the Justices shall make full compensation to the owner of any such house or building for any damage he may thereby sustain; and if any dispute shall arise touching the amount of such compensation, the same shall be settled in the manner hereinafter provided for the settlement of disputes respecting damages and expenses.

Names of streets.

CXIII. The Justices shall, from time to time, cause to be put up or painted on a conspicuous part of some house, building, wall, or place at or near each end, corner, or entrance of every street, the name by which such street is to be known; and whoever destroys, pulls down, or defaces any such name, or puts up any name different from that put up by order of the Justices, shall be liable to a penalty not exceeding twenty Rupees.

Numbers on houses.

CXIV. The Justices may, from time to time, fix a number in a conspicuous place on the outer side of any house or building, or at the entrance of the enclosure thereof fronting the street; and whoever destroys, pulls down, or defaces any such number, shall be liable to a penalty not exceeding twenty Rupees.

Doors not to open outwards.

CXV. All doors, gates, bars, and ground-floor windows put up after the passing of this Act, which open upon any public streets, shall be hung or placed so as not to open outwards; and if any such door, gate, bar, or window be hung or placed so as to open outwards on any such street, the owner of the premises to which the same is attached shall, within eight days after notice from the Justices to that effect, cause the same to be altered so as not to open outwards, and in case he neglects so to do, the Justices may make such alteration, and the expense thereof shall be paid by such owners, and shall be recoverable as hereinafter provided.

Doors opening outwards to be altered.

CXVI. If any door, gate, bar, or ground-floor window put up before the passing of this Act is hung or placed so as to open outwards upon any public street, the Justices may alter the same, so that no part thereof, when open, shall project over any such street so as to cause an obstruction, and the expense thereof shall be paid by the owners and be recoverable as hereinafter provided.

Troughs and pipes to be fixed to houses.

CXVII. The owner of every house or building in any public street shall, within eight days after notice from the Justices to that effect, put

up and keep in good condition proper troughs and pipes for catching and carrying the water from the roof and other parts of such house or building, and for discharging the same in such manner that it shall not fall upon the persons passing along the street; and in default of compliance with such notice within the period aforesaid, such owner shall be liable to a penalty not exceeding ten Rupees for every day that he shall so make default.

Future projections from houses to be removed.

CXVIII. The Justices may give notice in writing to the owner or occupier of any house or building to remove or alter any projection, encroachment, or obstruction, which, after the passing of this Act shall be erected or placed against or in front of such house or building, if the same overhangs, or juts into, or in any way projects or encroaches upon, or is an obstruction to the safe and convenient passage along any public street, or obstructs or projects or encroaches into or upon any uncovered aqueduct, drain, or sewer in such street; and such owner or occupier shall, within fourteen days after the service of such notice upon him, remove such projection, encroachment, or obstruction, or alter the same in such manner as shall have been directed by the Justices, and in default thereof shall be liable to a penalty not exceeding two hundred Rupees; and the Justices in such case may remove such projection, encroachment, or obstruction; and the expense of such removal shall be paid by the owner or occupier so making default, and shall be recoverable as hereafter provided.

Proviso.

Provided that, when the expense shall have been paid by the occupier, except in the case in which such projections, encroachments, or obstructions were made or put up by him, such occupier shall be entitled to deduct the expense of removing or altering the same from the rent payable by him to the owner of the house or building.

Sun-shades, &c.

Provided always that the roofs or eaves of houses or buildings, sun-shades, weather-frames, and the like, at a height not less than twelve feet above the surface of any street, may be projected to the extent of three feet over the same.

Removal of existing projections from houses.

CXIX. The Justices may cause any such projection, encroachment, or obstruction, erected or placed against or in front of any house or building, in any public street, before the passing of this Act, to be removed or altered as they think fit; provided that they

Notice of removal.

give notice of such intended removal or alteration to the occupier of the house or building against or in front of which such projection, encroachment, or obstruction shall be, thirty days before such alteration or removal is

Compensation when to be made.

begun; and if such projection, encroachment, or obstruction shall have been lawfully made, they shall make reasonable compensation to every person who suffers damage by such removal or alteration; and if any dispute shall arise touching the amount of such compensation, the same shall be settled in the manner hereinafter provided for the settlement of disputes respecting damages and expenses.

Justices may allow certain projections from houses.

CXX. The Justices may give permission in writing to the owners or occupiers of houses or buildings in public streets, the width of which is not less than twenty-five feet, to put up verandahs, balconies, sun-shades, weather-frames and the like, to project from any upper-story thereof over the street, to an extent not exceeding four feet from the foundation, and for special reasons to allow such projections to be extended to five feet.

Roofs and external walls of houses not to be made of inflammable materials.

CXXI. The external roofs and walls of huts or other buildings erected or renewed in or near any street, after the passing of this Act, shall not be made of grass, leaves, mats, or other such inflammable materials; and it shall not be lawful for the owner of any hut or other building in or near any street now having an external roof or wall made of any such material, and which is contiguous to or adjoining to any other building, to suffer such roof or wall to remain after the passing of this Act, unless with the consent in writing of the Justices; and whoever makes any external roof or wall of such materials, or suffers any roof or wall made of such materials to continue contrary to the provisions herein contained, and who shall not remove or alter the same within one month after notice given to him for that purpose by the Justices, shall be liable to a penalty not exceeding ten Rupees for every day that such roof or wall shall continue. Any person may give information and institute a prosecution before a Magistrate under this Section.

Houses in a ruinous and dangerous state.

CXXII. If, in any street, any house, building, or wall, or any thing affixed thereon, be deemed by the Justices to be in a ruinous state or likely to fall, or in any way dangerous to the inhabitants of such house or building, or to the neighbouring houses or buildings, or to the occupiers thereof, or to passengers, they shall immediately, if it appears to them to be necessary, cause a proper hoard or fence to be put up for the protection of passengers; and shall cause notice in writing to be given to the owner, if he be known and resident within the limits of their jurisdiction, and shall also cause such notice to be put on the door or other conspicuous part of the said premises or otherwise to be given to the occupier thereof (if any), requiring such owner or occupier forthwith to take down, secure, or repair such house, building, wall, or thing affixed thereon, as the case shall require; and if such owner or occupier do not begin to repair, take down, or secure the same within three days after such notice, and complete such work with due diligence, the Justices shall cause all or so much of such house, building, wall, or thing as they shall think necessary, to be taken down, repaired, or otherwise secured; and all the expenses incurred by the Justices shall be paid by the owner of the premises, and shall be recoverable from him as hereinafter provided.

Sale of materials of ruinous houses.

CXXIII. If any such house, building, or wall, or any part of the same be pulled down by virtue of the powers aforesaid, the Justices may sell the materials thereof or so much of the same as shall be taken down, and apply the proceeds of such sale in payment of the expenses incurred, and shall restore any overplus arising from such sale to the owner of such house, building, or wall, on demand. The Justices, although they sell such materials for the purposes aforesaid, shall have the same remedies for compelling the

payment of so much of the said expenses as may remain due after the application of the proceeds of such sale, as by this Act are given to them for compelling the payment of the whole of the said expenses.

Power to shut up and secure deserted houses.

CXXIV. If any building or land, by reason of abandonment or of disputed ownership or other cause, shall remain untenanted, and thereby become a resort of idle and disorderly persons, or be complained of by any two or more of the neighbours as a nuisance, the Justices, after due enquiry, may cause notice in writing to be given to the owner, or to the person claiming to be the owner if he be known and resident within the limits of their jurisdiction, and shall also cause such notice to be put on the door of the building or some conspicuous part of the premises, requiring the persons concerned therein, whoever they may be, to secure or enclose the same; and if such notice shall not be complied with within eight days, the Justices shall cause the necessary work to be executed, and all expenses thereby incurred shall be paid by the owner of the premises and shall be recoverable as hereinafter provided.

Penalty on occupier of a house not removing filth.

CXXV. Whoever, being the occupier of a house in or near any street, keeps or allows to be kept for more than twenty-four hours, or otherwise than in some proper receptable, any dirt, dung, bones, ashes, night-soil, filth, or any noxious or offensive matter, in or upon the roof of such house, or in any out-house, yard, or ground attached to and occupied with such house, or suffers such receptacle to be in a filthy or noxious state, or neglects to employ proper means to remove the filth therefrom and to cleanse and purify the same, shall be liable to a penalty not exceeding fifty Rupees for each offence.

Filthy houses, &c.

CXXVI. Whoever, being the owner or occupier of any house, building, or land, in or near any street, whether tenantable or otherwise, suffers the same to be in a filthy and unwholesome state, or overgrown with vegetation, shall be liable to a penalty not exceeding fifty Rupees, and to a penalty not exceeding ten Rupees for every day after conviction for such offence during which the offence is continued.

Power to trim hedges and trees bordering roads.

CXXVII. The Justices may give notice to the owner or occupier of any land to trim or prune the hedges thereof bordering any public road or street, so that they may not exceed the height of seven feet from the level of the road; and to cut and trim all trees which by overhanging any public road or street obstruct the passage or cause damage thereto; and in the event of such notice not being complied with within eight days from the date thereof, the Justices may cause the said hedges and trees to be cut and trimmed in the manner required, and the expense incurred by the Justices in respect thereof shall be paid to them by the owners, and shall be recoverable as hereinafter provided.

Keeping swine, &c., in or near any street.

CXXVIII. Whoever keeps any pig-stye to the front of any street, not being shut out therefrom by a sufficient wall or fence, or whoever shall keep any swine in or near any street, so as to be a nuisance to the neighbourhood, or who shall, without the permission of the Justices, keep more than twenty sheep or goats, or ten horned cattle, in or near any street, shall be liable to a penalty not exceeding fifty Rupees.

Sewers, drains, &c., vested in the Justices.

CXXIX. All public sewers and drains, and all sewers, drains, tunnels, and culverts, in, alongside, or under the streets and roads existing at the time of the passing of this Act, or afterwards made, and whether made at the cost of the Justices or otherwise, and all works, materials, and things appertaining thereto, shall be vested in and belong to the Justices.

Powers of Justices in making public sewers.

CXXX. The Justices, in making any main or other sewers for the drainage of the Town of Calcutta, may, if needful, carry such sewers through, across, or under any street, or any place laid out as or intended for a street, or any cellar or vault which may be under any of the streets, and (after reasonable notice in writing in that behalf) into, through or under any inclosed or other land whatsoever, making full compensation for any damage done thereby; and if any dispute shall arise touching the amount or apportionment of such compensation, the same shall be settled in the manner hereinafter provided for the settlement of disputes respecting damages and expenses.

Justices to repair and alter and discontinue sewers.

CXXXI. The Justices shall maintain, and from time to time repair and as they see fit enlarge, alter, arch-over or otherwise improve, all or any of the sewers and drains vested in them by this Act; and may discontinue, close up, or destroy such of them as they may deem useless or unnecessary. Provided always that the discontinuance, closing up, or destruction of any sewer or drain, shall be so done as not to create a nuisance; and if, by reason thereof or of any such alteration as hereinbefore mentioned, any person is deprived of the lawful use of any sewer or drain, the Justices shall, with due diligence, provide some other sewer or drain as effectual for his use as the one of which he is so deprived.

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Cleansing and emptying sewers.

CXXXII. The Justices shall, so far as the funds at their disposal will admit, cause the sewers and drains belonging to them to be so constructed, maintained, and kept, as not to be a nuisance or injurious to health, and to be properly cleared, cleansed, and emptied; and for the purpose of flushing, cleasing, and emptying the same, they may construct and place, either above or underground, such reservoirs, sluices, engines, and other works as may be necessary; and they may also, with the sanction of the Government of Bengal, cause all or any of such sewers and drains to communicate with and be emptied into any tidal river or other fit place, or cause the refuse from such sewers and drains to be conveyed by a proper channel to the most convenient site for its deposit, and may sell the same for any agricultural or other purposes as may be deemed most expedient, but so that the same shall not become a nuisance.

CXXXIII. When the contents of any sewer or drain or any other flow or filth or refuse are discharged into any river or stream, in the bed or channel of which the quantity of water at any season of the year is so much diminished by natural or artificial causes as to be insufficient to keep such channel clean or clear, the Justices, with the sanction of the Government of Bengal, so far as the funds at their disposal will admit, shall make such alteration in the bed of such river or stream as may prevent such sewer and drain-water from spreading over the surface of such bed, or from accumulating and stagnating in parts thereof to the injury of health or the annoyance of the surrounding population.

Bed of stream receiving sewerage to be cleared.

CXXXIV. Whoever, without the written consent of the Justices first obtained, makes or causes to be made any drain into any of the sewers or drains vested in the Justices by this Act, shall be liable to a penalty not exceeding two hundred Rupees; and the Justices may cause such branch-drain to be demolished, altered, re-made, or otherwise dealt with as they think fit; and all the expense incurred thereby shall be paid by the person making such branch-drain, and shall be recoverable as hereinafter provided.

Penalty for making unauthorized drains into public sewers.

CXXXV. No building shall be newly erected over any sewer or drain vested in the Justices by this Act, without their written consent; and if any building be so erected, the Justices may cause such building to be pulled down, or otherwise dealt with as they may think fit; and the expenses thereby incurred shall be paid by the person offending, and be recoverable as hereinafter provided.

Building over sewers, &c, not to be erected without consent of the Justices.

CXXXVI. If any house or building, in or near any street, be at any time not drained to the satisfaction of the Justices by a sufficient drain or pipe communicating with some sewer, or some tidal river or other place at which the Justices are empowered to empty their sewers, the Justices may construct or lay from such house or building a covered drain or pipe of such materials, of such size, at such level, and with such fall, as they think necessary for the draining of such house or building; and the expenses incurred by the Justices in respect thereof, if not forthwith paid by the owner, shall be recoverable as hereinafter directed.

Justices empowered to make drains from houses in or near streets, which are not properly drained.

CXXXVII. No house or building shall be hereafter built in or near any street upon a lower level than will allow of the drainage of such house or building being led into some public sewer either then existing or projected by the Justices, or into some tidal river or other place into which the Justices are empowered to empty their sewers.

Level of houses hereafter built in or near streets.

CXXXVIII. If any house or building, newly erected or re-built in or near any street after the passing of this Act, have such means of drainage as in the last preceding Section mentioned, existing within one hundred feet thereof, the owner shall make a drain leading thereunto from the site of such house or building, of such materials, of such size, at such level, and with such fall as the Justices may direct; and if he neglect to do so within a reasonable time, the Justices may cause the same to be done, and the expenses thereby incurred shall be paid by the owner and shall be recoverable as hereinafter provided.

Houses hereafter built in or near streets to have drains constructed under the orders of the Justices.

CXXXIX. Before beginning, in or near any street, to build or re-build any house, the person intending to build or re-build such house shall give to the Justices notice thereof in writing, and shall accompany such notice with a plan showing the levels at which the foundation and lowest floor of such house are proposed to be laid, by reference to some level ascertained under the direction of the Justices.

Notice of new buildings in or near streets to be given to the Justices.

CXL. Within fourteen days after receiving such notice, the Justices shall signify their approval of the proposed levels, or if they disapprove thereof they shall fix other levels in lieu thereof within the same time.

Justices to signify disapproval within fourteen days.

CXLI. If such building be begun or made without sending such notice and plan, or at any levels different from those fixed by the Justices within the said fourteen days, or in any other respect contrary to the provisions of this Act, the Justices may, if necessary, cause such building to be altered, or demolished as the case may require; and the expense thereby incurred shall be paid by the person failing to comply with the provisions aforesaid, and shall be recoverable as hereinafter provided.

Houses built without notice, or contrary to provisions of this Act, may be altered by the Justices.

CXLII. If the Justices fail to signify in writing their approval or disapproval of the levels shown on such plan as aforesaid, and to fix other levels within fourteen days after receiving such notice and plan as aforesaid, the person giving such notice may, notwithstanding any thing hereinbefore contained, proceed to build or re-build the house therein referred to according to the levels shown on such plan, provided that such building or re-building be otherwise in accordance with the provisions of this Act.

If Justices fail to approve &c., within fourteen days, parties may proceed without.

CXLIII. All sewers and drains in streets, whether public or private, shall be provided by the Justices or by the persons to whom they severally belong, with proper traps or other coverings or means of ventilation so as to prevent stench. If the owner of any private sewer or drain shall, for ten days after notice given to him by the Justices, neglect or delay to provide proper traps or coverings or means of ventilation as aforesaid, the Justices may forthwith provide and apply the same; and the expense incurred thereby shall be paid by the owner of such sewer and drain, and shall be recoverable as hereinafter provided.

Sewers in streets to be covered with traps, &c.

CXLIV. The Justices may erect on, or fix to any house or building, such pipes as they may deem necessary for the proper ventilation of the sewers belonging to them, and such pipes shall be carried to a height of not

Power of Justices to erect or affix to building, pipes for ventilation of sewers.

less than six feet above the highest part of the house or building, and erected so as not to occasion any nuisance or inconvenience to any house or building in the neighbourhood.

Throwing rubbish into sewers.

CXLV. Whoever throws or puts, or permits his servants to throw or put, any earth, dirt, ashes, garden kitchen or stable refuse, or any broken glass or earthen-ware, or other rubbish, or, until suitable sewers shall be provided, any night-soil, into any sewer or drain belonging to any of the Justices or into any drain communicating therewith, shall be liable to a penalty not exceeding fifty Rupees for each offence.

Common necessaries.

CXLVI. The Justices may provide and maintain in proper and convenient situations, so as not to create a nuisance common necessaries and urinals, and shall cause the same, when provided, to be kept in proper order and to be daily cleansed.

Licensing of public necessaries.

CXLVII. The Justices may license, for any period not exceeding one year, such necessaries for public accommodation as they, from time to time, may think proper; and whoever keeps any public necessary without such license, or, having a license for a public necessary, suffers the same to be in a filthy or noxious state, or neglects to employ proper means for cleaning the same, shall be liable to a penalty not exceeding one hundred Rupees; and the license may be cancelled by the Magistrate before whom the person is convicted.

Neglecting to enclose private privy.

CXLVIII. The owner or occupier of any house or building having a privy erected on his premises, shall have such privy shut out by a sufficient wall or fence from the view of persons passing by. In neglect of this provision he shall be liable to penalty of ten Rupees a day for each day of default.

Branch-drains, privies, &c., to be under control of Justices and to be kept in good order by owners.

CXLIX. All branch drains, as well within as without the lands or buildings to which they belong, and all privies and cess-pools in or near any street, shall be under the survey and control of the Justices, and shall be altered, repaired, and kept in proper order at the costs and charges of the owners of the lands and buildings to which the same belong, or for the use of which they are constructed or continued; and if the

If owners neglect, Justices may cause the same to be done and charge the owners with the expense.

owner of any land or buildings to which any such drain, privy, or cess-pool belongs, neglect, during eight days after notice in writing for that purpose, to alter, repair, and put the same into good order in the manner required by the Justices, the Justices may cause such drain, privy, or cess pool to be altered, repaired, and put in good order, and the expense incurred by the Justices in respect thereof, shall be paid by the owner, and shall be recoverable as hereinafter provided.

Penalty for persons making or altering drains, &c., contrary to the orders of the Justices.

CL. If any such drain, privy, or cess-pool be constructed after the passing of this Act, contrary to the directions and regulations of the Justices or contrary to the provisions of this Act, or if any person, without the consent of the Justices, constructs, re-builds, or unstops, any drain, privy, or cess-pool which has been ordered by them to be demolished or stopped up, or not to be made, every person so doing shall be liable to a penalty not exceeding fifty Rupees; and the Justices may cause such amendment or alteration to be made in any such drain, privy, or cess-pool as they think fit; and the expense thereof shall be paid by the person by whom such drain, privy, or cess-pool was improperly constructed, re-built, or unstopped, and shall be recoverable from him as hereinafter provided.

Inspection of drains, privies, and cesspools.

CLI. The Justices or any Officer appointed by them for the purpose may inspect any such drain, privy, or cess-pool, and for that purpose, at any time between sunrise and sunset, after twenty-four hours notice in writing to the occupier of the premises to which such drain, privy, or cess-pool is attached, may enter upon any lands and buildings with such assistants and workmen as are necessary, and cause the ground to be opened where they or he may think fit, doing as little damage as may be, and if, upon such inspection, it appears that the drain, privy, or cess-pool is not in good order and condition, or that it has been constructed after the passing of this Act contrary to the provisions thereof, the expenses of such inspection shall be paid by the person to whom such drain, privy, or cess-pool may belong; but if the drain, privy, or cess-pool be found to be in proper order and condition and not to have been constructed in violation of the provisions of this Act, the Justices or Officer as aforesaid shall cause the ground to be closed and made good as soon as may be; and the expenses of opening, closing, and making good such drain, privy, or cess-pool shall, in that case, be defrayed by the Justices. Provided always that

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nothing hereinbefore contained shall authorize an entry into the zenanas or private apartments appropriated to the females of Hindoo and Mussulman families for the purpose of such inspection, except by the agency of women.

Service of notice on owners and occupiers of buildings and lands.

CLII. Where any notice is required by this Act to be given to the owner or occupier of any building or land, such notice, addressed to the owner or occupier as the case may require, may be served on the occupier of such building or land, or left with some adult male member or servant of his family, or, if the notice cannot be so served, or if there be no occupier, may be put up on some conspicuous part of such building or land, and it shall not be necessary in any such notice to name the occupier or the owner. Provided always that, when the owner and his residence are known to the Justices, it shall be their duty, if such owner be residing within the limits of their authority, to cause every notice, required to be given to the owner of any building or land, to be served on such owner or left with some adult male member or servant of his family; and, if the owner be not resident within such limits, they shall send every such notice by Post addressed to his residence, and proof of delivery of the notice at the Post Office shall be held to be due service of the same.

CLIII. Whenever, under the provisions of this Act, any work is required to be executed by the owner or occupier of any building or land, and default is made in the execution of such works, the Justices, whether any penalty is or is not provided for such default, may cause such work to be executed; and the expense thereby incurred shall be paid to them by the person by whom such work ought to have been executed, and shall be recoverable as hereinafter provided.

Justices, in default of owner or occupier, may execute works and recover expenses.

CLIV. If the defaulter be the owner of the building or land, the Justices may, by way of additional remedy, whether any action or proceeding has been brought or taken against any such owner or not, require the payment of all or any part of the expenses payable by the owner for the time being, from the person who then or at any time thereafter occupies the building or land under such owner, and, in default of payment thereof by such occupier on demand, the same may be levied by distress of the goods and chattels of such occupier; and every such occupier shall be entitled to deduct from the rent payable by him to his landlord so much as is so paid by or recovered from him in respect of any such expenses.

Power to levy charges on occupier, who may deduct the same from his rent.

CLV. Except in cases falling under Section LXVI of this Act, no occupier of any building or land shall be liable to pay more money, in respect of any expenses charged by this Act on the owner thereof, than the amount of rent due from him for the premises in respect of which such expenses are payable at the time of the demand made upon him, or which at any time after such demand has accrued and become payable by him, unless he neglect or refuse, upon application made to him for that purpose by the Justices, truly to disclose the amount of his rent and the name and address of the person to whom such rent is payable; but the burden of proof that the sum demanded of any such occupier is greater than the rent which was due by him at the time of such demand or which has since accrued, shall lie upon such occupier; provided further that nothing herein contained shall be taken to affect any special contract made between any such owner or occupier respecting the payment of the expenses of any such works as aforesaid.

Occupier not to be liable for more than the amount of rent due.

CLVI. Whenever default is made by the owner of any building or land, in the execution of any work required to be executed by him, the occupier of such building or land may, with the approval of the Justices, cause such work to be executed, and the expense thereof shall be paid to him by the owner, or the amount may be deducted out of the rent from time to time becoming due from him to such owner.

Occupier, in default of owner, may execute works and deduct expenses from his rent.

CLVII. If the occupier of any building or land prevent the owner thereof from carrying into effect, in respect of such building or land, any of the provisions of this Act, after notice of his intention so to do has been given by the owner to such occupier, any Magistrate, upon proof thereof, may give an order in writing requiring such occupier to permit the owner to execute all such works with respect to such building or land as may be necessary for carrying into effect the provisions of this Act; and if, after the expiration of eight days from the date of the order, such occupier continue to refuse to permit such owner to execute such works, such occupier shall, for every day during which he so continues to refuse, be liable to a penalty not exceeding fifty Rupees; and every such owner, during the continuance of such refusal, shall be discharged from any penalties to which he might otherwise have become liable by reason of his default in executing such works.

Proceedings in case of tenants opposing the execution of this Act.

CLVIII. All public tanks, reservoirs, cisterns, wells, aqueducts, conduits, tunnels, pipes, pumps, and other water-works, existing at the time of the passing of this Act or afterwards made or erected and whether made or erected at the cost of the Justices or otherwise, and all bridges, buildings, engines, works, materials, and things connected therewith or appertaining thereto, and also any adjacent land (not being private property) appertaining to any public tank, shall be vested in and belong to the Justices.

Tanks, &c., vested in the Justices.

CLIX. The Justices shall cause all existing public tanks, reservoirs, cisterns, wells, aqueducts, conduits, tunnels, pipes, pumps, and other water-works used for the supply of water to the inhabitants or for the other purposes mentioned in this Act, to be continued, maintained, and supplied with water; or they shall substitute other such works and shall cause them to be maintained and supplied with water; and the Justices may, with the consent of the Government of Bengal, from time to time construct aqueducts for bringing water into the Town of Calcutta, and may provide any number of new tanks, reservoirs, cisterns, wells, and other such water-works for the purposes aforesaid.

Construction and maintenance of works for supply of water.

CLX. Whoever, except as permitted by the Justices under Section CLXIII, bathes in any stream, tank, reservoir, well, cistern, conduit, or aqueduct belonging to the Justices; or washes or causes to be washed therein, any horse, dog, or other animal, or any wool, cloth, or wearing apparel, or any utensils for cooking or other purposes, or leather, or the skin of any animal, or other foul or offensive thing; or throws, puts, or casts, or causes to enter therein, any animal or any gravel, stone, dust, or rubbish, or any dirt, filth, or other noisome or offensive matter or thing; or causes or suffers to run, drain, or be brought thereinto, the water of any sink, sewer, drain, engine, or boiler, or any other unwholesome or offensive liquid matter or thing belonging to him or flowing from any house or building or from any ground occupied by him; or does any thing whatsoever whereby any such water shall be in any degree fouled or corrupted, shall be liable to a penalty not exceeding fifty Rupees for each offence.

Fouling water by—
Bathing.
Washing animals or things, &c.
Throwing rubbish, &c.
Allowing drains, &c., to flow.

CLXI. Whoever, being the proprietor of any gas-works, or being engaged or employed in the manufacture or supply of gas, or being the occupier or proprietor of any place where an

Water fouled by offensive trades.

offensive trade or manufacture is carried on, wilfully does any act connected with the said business, whereby the water in any stream, tank, reservoir, well, cistern, conduit, aqueduct, or other water-works belonging to the Justices is fouled or corrupted, shall be liable to a penalty not exceeding one thousand Rupees, and to a further penalty, not exceeding five hundred Rupees, for every day while the offence is continued after twenty-four hours' notice in writing from the Justices in this behalf, and the Justices may, after twenty-four hours' notice in writing, lay open and examine any pipes, conduits, and works belonging to such person; and if, upon such examination, it appears that the water has been fouled or corrupted by any thing proceeding from or contained in the pipes, conduits, or works examined, the expenses of such examination shall be paid by the person to whom such pipes, conduits, or works belong, or under whose management or control they may be, and be recoverable from him as hereinafter provided; but if it appear that the water has not been so fouled or corrupted, then such expenses, and all damages occasioned by the examination, shall be paid by the Justices.

Injuring water-works or diverting or wasting water.

CLXII. Whoever wilfully or carelessly injures any water-works belonging to the Justices, or unlawfully draws off, diverts, or takes water from any such water-works, or from any waters or streams belonging to the Justices by which such water-works are supplied, shall be liable to a penalty not exceeding one hundred Rupees.

Justices may set apart bathing places, &c.

CLXIII. The Justices may, at their discretion set apart any public ghaut or place, or any part of the strand of any river (not being private property), for the purpose of being used as a bathing place; and may also provide or set apart a sufficient number of convenient tanks or runs of water for the inhabitants to bathe in, and may also set apart tanks or reservoirs, or runs of water for washing animals or clothes or for any other purposes connected with the health, cleanliness, and comfort of the inhabitants.

Bye-laws to regulate—

CLXIV. The Justices may, in the manner hereinafter provided, make bye-laws—

The use of water.

For regulating all or any matters and things whatsoever connected with the water to be supplied by them, and the use of such water for any of the purposes mentioned in this Act—

Bathing places.

And for regulating the time and place of bathing for persons of each sex in the places provided or appointed by them for the purpose of bathing, in such manner as shall appear to the Justices necessary, making due allowance for the habits and customs of the country.

Power to fill up unwholesome tanks, &c., on private premises.

CLXV. When any private tank or low marshy ground, or any waste or stagnant water, being within any private enclosure, appears to the Justices to be injurious to health, or to be offensive to the neighbourhood, it shall be lawful for the Justices to require, by notice in writing, the owner of the said premises to cleanse or fill up such tank or marshy ground, or to drain off or remove such stagnant water; and if he shall refuse or neglect to comply with such requisition during eight days from the service thereof, the Justices, their Officers, and workmen, may enter into the said premises and do all necessary acts for all or any of the purposes aforesaid as they shall think fit; and the expense incurred thereby shall be paid by the owner of such premises, and shall be recoverable as hereinafter provided.

Power to drain off and cleanse stagnant pools in open places.

CLXVI. The Justices are hereby empowered, from time to time as they shall see fit, to drain off into any sewers belonging to them and cleanse and fill up or otherwise abate any stagnant pool, ditch, tank, pond, or other receptacle of water (the same not being within any private enclosure) which shall appear to them to be useless or unnecessary or likely to prove injurious to the health of the inhabitants, whether the same be the private property of any person or otherwise; and the Justices, their Officers, and workmen, may do all necessary acts for effecting any of the purposes aforesaid.

Justices in executing works to provide roads, &c., where existing ones are injured.

CLXVII. The Justices, in executing any works directed or authorized by this Act to be made, shall provide and make, at their own expense, a sufficient number of convenient ways, water-courses, drains, and channels in the place of such as may be interrupted, injured, or rendered useless by reason of the execution of such works; and, in case of any difference arising between the Justices respectively and the persons affected thereby, such difference shall be settled in the manner hereinafter provided for the settlement of disputes respecting damages and expenses.

Justices breaking up street to restore the same with all convenient speed.

CLXVIII. When the pavement or surface of any street, or when any sewer or drain, shall be opened or broken up by the Justices, their Officers or servants, they shall, with all convenient speed, complete the work on account of which the same shall have been broken up, and fill in the ground and make good the pavement and surface, and the sewer or drain, so opened or broken up, and carry away the rubbish occasioned thereby; and shall, in the meantime, cause the place where such pavement or surface shall be so opened or broken up, to be fenced and guarded, and sufficiently lighted during the night.

Situation of gas and water-pipes to be altered at the expense of the Justices.

CLXIX. If the Justices deem it necessary for the purposes of this Act to raise, sink, or otherwise alter the situation of any water-pipe or gas-pipe, or other water-works or gas-works laid in any of the streets, they may, from time to time, by notice in writing, require the person to whom any such pipes or works belong or under whose control they may be, to cause forthwith, or as soon as conveniently may be, any such pipes or works to be raised, sunk, or otherwise altered in position in such manner as the Justices direct; provided that such alteration be not such as permanently to injure such works, or to prevent the water or gas from flowing as freely and conveniently as before; and the expenses attending such raising, sinking, or altering, and full compensation for the damage done thereby, shall be paid by the Justices, as well to the persons to whom such pipes or works belong as

to all other persons. And if any dispute shall arise touching the amount or apportionment of such compensation, the same shall be settled in the manner hereinafter provided for the settlement of disputes respecting damages and expenses.

If owner, &c. neglect to make alterations, the Justices may cause the same to be done.

CLXX. If the person to whom any such pipes or works belong or under whose control they may be, do not proceed forthwith, or as soon as conveniently may be after the receipt of such notice, to cause the same to be raised, sunk, or altered, in such manner as the Justices require, the Justices may themselves cause such pipes or works to be raised, sunk, or altered as they think fit; provided that such works be not permanently injured thereby, or the water or gas prevented from flowing as freely and conveniently as before.

Hoards to be set up during repairs.

CLXXI. Every person intending to build or take down any buildidg or to alter or repair the outward part of any building where any street or footway will be obstructed or rendered inconvenient by means of such work shall before beginning the same, and having first obtained a license in writing from the Justices so to do, cause sufficient hoards or fences to be put up, in order to separate the building where such works are being carried on, from the street or footway, and shall continue such hoard or fence standing and in good condition, to the satisfaction of the Justices during such time as the public safety or convenience requires, and shall cause the same to be sufficiently lighted during the night; and every such person who begins to build, or take down, or alter, or repair, any building contrary to the provisions of this Section, or who, without license, erects or sets up any hoards, scaffolding, or fence whatsoever, or who, being licensed, fails to put up such fence or hoard, or to continue the same standing and in good condition as aforesaid during the time aforesaid, or who does not, while the said hoards or fences are standing, keep the same sufficiently lighted during the night, or who does not remove the same when directed by the Justices within eight days, shall be liable to a penalty not exceeding fifty Rupees, and a further penalty not exceeding fifty Rupees for every day while the offence is continued after twenty-four hours' notice from the said Justices.

Bars to be erected across streets during repairs, and lights placed at night.

CLXXII. The Justices shall, during the construction or repair by them of any of the streets, sewers, or drains vested in them, take proper precaution for guarding against accident, by shoring up and protectiug the adjoining houses, and shall cause such bars, chains, or posts to be fixed across or in any of the streets or roads to prevent the passage of carriages, carts, or other vehicles, cattle or horses, while such works are carried on, as to them shall seem proper; and the Justices shall cause any sewer or drain or other works in streets, during the construction or repair thereof by them, to be sufficiently lighted and guarded during the night; and whoever takes down, alters, or removes any of the said bars, chains, or posts, or extinguishes any light, without the authority or consent of the Justices, shall be liable to a penalty not exceeding fifty Rupees.

Penalty for not lighting deposits of building materials or excavations.

CLXXIII. No persons shall deposit any building materials, or make a hole in any street, without the permission of the Justices; and when such permission is granted to any person he shall, at his own expense, cause such materials, or such hole, to be sufficiently fenced and enclosed until the materials are removed, or the hole is filled up or otherwise made secure; and shall cause the same to be sufficiently lighted during the night; and whoever deposits materials or makes a hole without such permission, or fails to fence or enclose and light such materials or hole, or does not remove such materials or fill up such hole when the permission has been withdrawn, shall be liable to a penalty not exceeding fifty Rupees, and a further penalty not exceeding fifty Rupees for every day while the offence is continued after twenty-four hours' notice from the Justices.

Dangerous places near streets to be repaired or enclosed.

CLXXIV. If any building, tank, well, or hole, or other place, be, for want of sufficient repair, protection, or enclosure, dangerous to passengers, the Justices shall cause the same to be repaired, protected, or enclosed so as to prevent danger therefrom; and the expenses of such repair, protection, or enclosure shall be paid to the Justices by the owner of the property so repaired, protected, or enclosed, and shall be recoverable as hereinafter provided.

Slaughter-houses within certain limits to be registered.

CLXXV. Within the parts of the Town of Calcutta which (if any) shall be specially prescribed for the purpose by the Government of Bengal, every place used as a slaughter-house shall, within one month after the passing of this Act, be registered by the owner or occupier at the Office of the Justices in a book to be kept by them for that purpose; and whoever, after the expiration of that time and after eight days' notice from the Justices, uses or permits to be used any slaughter-house without its being registered, shall be liable to a penalty, not exceeding one hundred Rupees, for every day during which such place shall be so used without having been registered.

No slaughter-houses to be newly set up without license.

CLXXVI. No place not so used at the time of the passing of this Act, or which shall at any time subsequent to the passing of this Act cease to be so used, shall be used as a slaughter-house within the prescribed limits, unless and until a license in writing for the use thereof as a slaughter-house has been obtained from the Justices, who are hereby empowered, at their discretion, from time to time, to grant such licenses; and whoever, without such license, uses as a slaughter-house any place within such limits, not used as such at the time of the passing of this Act, or which shall at any time subsequent to the passing of this Act cease to be so used, shall be liable to a penalty not exceeding two hundred Rupees, and to a penalty, not exceeding fifty Rupees for every day after the conviction for such offence, during which the said offence is continued.

Justices to provide places for slaughter-houses.

CLXXVII. The Justices may, from time to time, if they shall think fit, with the sanction of the Government of Bengal, provide places for the purpose of being used as slaughter-houses, and they are hereby

empowered to make bye-laws for and with respect to the management and charges for the use of such places.

Markets, slaughter-houses, &c., to be properly drained.

CLXXVIII. Every owner, or occupier, or farmer of any market for the sale of butcher's meat, poultry, fish, or vegetables, or of any slaughter-house within the prescribed limits, shall cause such drains to be made therein as shall be considered sufficient by the Justices, and (if required so to do by the Justices) shall cause all the floors and drains to be paved with stone or burnt brick, and shall also cause a supply of water to be provided sufficient for keeping such market or slaughter-house in a clean and wholesome state; and if such owner, occupier, or farmer, after notice in writing given to him by the Justices that such market or slaughter-house is defective in any of the said particulars, and requiring him to remedy the defect specified within not less than thirty days, makes default therein, he shall be liable to a penalty, not exceeding fifty Rupees for every day during which such default is continued.

Justices may make bye-laws for the inspection of slaughter-houses.

CLXXIX. The Justices may, in manner hereinafter provided, make bye-laws for the inspection of all such markets and of all slaughter-houses within the prescribed limits, and for the management and conduct of the business therein, and for keeping the same in a cleanly and proper state, and for removing filth at least once in every twenty-four hours.

Sale of unwholesome food or drink.

CLXXX. It shall be lawful for any Magistrate, on the application of the Justices or any of their Officers setting forth that there is just cause to believe that any article which has been rendered or has become noxious or unfit for use as food or drink for man is in the possession of any person for the purpose of being sold or offered or exposed for sale within the Town as food or drink for man, to grant a warrant to enter upon the premises of such person, and to search for and seize such article, and if it appear to the Magistrate, upon the evidence of a competent person, that the same is noxious or unfit for such use, he shall order such article to be forfeited and disposed of in such way as to him shall seem proper.

Power to Justices to enter and inspect slaughter-houses, shops, &c., and to seize unwholesome articles exposed for sale.

CLXXXI. The Justices or any person appointed by them for that purpose may at all reasonable times, with or without assistants, enter into and inspect any market, building, shop, stall, or place used for the sale of butcher's meat, poultry, fish, or vegetables, or as a slaughter-house, and may examine any animal, carcase, meat, poultry, game, flesh, fish, or vegetables which may be therein; and in case any animal, carcase, meat, poultry, game, flesh, fish, or vegetables appear to be intended for the food of man and to be unfit for such food, may seize the same; and if it appear to a Magistrate, upon the evidence of a competent person, that such animal, carcase, meat, poultry, game, flesh, fish, or vegetables is unfit for the food of man, he shall order the same to be destroyed or to be so disposed of as to prevent its being exposed for sale or used for such food, and the owner thereof, or the person in whose possession the same is found, shall be liable to a penalty not exceeding one hundred Rupees.

Suspension or revocation of license, &c.

CLXXXII. The Magistrate, before whom any person is convicted of an offence contrary to the provisions of this Act relating to slaughter-houses, or of the non-observance of any of the bye-laws relating thereto made by virtue of this Act, in addition to the penalty imposed on such person under the authority of this Act, may suspend, for any period not exceeding two months, the license granted to such person under this Act; or in case such person be the owner or occupier of any registered slaughter-house, may forbid for any period not exceeding two months the slaughtering of cattle therein; and the Magistrate, upon the conviction of any person for a second or other subsequent like offence, in addition to the penalty imposed under the authority of this Act, may declare the license granted under this Act revoked, or if such person be the owner or occupier of any registered slaughter-house, may forbid absolutely the slaughtering of cattle therein.

Penalty for using slaughter-houses during suspension or revocation of license.

CLXXXIII. Whoever, during the period for which any such license is suspended or after the same is revoked as aforesaid, slaughters cattle, or allows cattle to be slaughtered in the slaughter-house to which such license relates, and whoever, during the period that the slaughtering of cattle in any such registered slaughter-house is forbidden as aforesaid, or after such slaughtering has been absolutely forbidden therein slaughters cattle, or allows cattle to be slaughtered, in any such registered slaughter house, shall be liable to a penalty not exceeding one hundred Rupees for every day after the conviction for such offence during which the said offence is continued.

Offensive and dangerous trades existing within certain limits to be registered.

CLXXXIV. Within the parts of the Town of Calcutta (if any) which may be specially prescribed by the Government of Bengal for the purpose, the owner or occupier of every place used at the time of the passing of this Act for any of the following purposes, namely, for melting tallow—or for boiling offal or blood—or as a soap house—oil-boiling house—dyeing house—tannery—brick, pottery, or lime, kiln—sago manufactory—or other manufactory or place of business from which offensive or unwholesome smells arise—or as a yard or depot for hay, straw, wood, or coal—shall, within three months after this Act comes into operation, register the same at the Office of the Justices in a book to be kept by them for that purpose, and whoever, after the expiration of the said three months and after eight days' notice from the Justices, uses any such place without the same being registered, shall be liable to a penalty not exceeding one hundred Rupees for every day during which the offence is continued.

Penalty for establishing such trades without license.

CLXXXV. No place shall be newly used within the prescribed limits for any of the purposes mentioned in the last preceding Section, except under a license from the Justices, who are hereby empowered, at their discretion, from time to time, to grant such licenses; and whoever, without a license, uses any such place for such purpose, shall be liable to a penalty not exceeding five hundred Rupees, and a penalty not exceeding fifty Rupees

for every day after the conviction for such offence during which the said offence is continued.

Justices to make rules for licensing, registering, &c., such business places.

CLXXXVI. The Justices may, in the manner hereinafter provided, make bye-laws for the inspection of every place within the prescribed limits used for any of the purposes mentioned in Section CLXXXIV, and for the management and conduct of such business, whether the same be newly established or not, in such manner as they may think necessary and proper, in order to prevent or diminish the noxious or injurious or offensive effect thereof.

The Justices may order existing slaughter-houses to be discontinued.

CLXXXVII. If it be shown to the satisfaction of the Justices that any place registered or licensed under Sections CLXXV, CLXXVI, CLXXXIV, or CLXXXV of this Act is a nuisance to the neighbourhood, they may give notice to the occupier to discontinue the use of such place within one month; and whoever, after the expiration of that time, uses such place or permits it to be used in such a manner as to be a nuisance to the neighbourhood, shall be liable to a penalty not exceeding two hundred Rupees for every day during which it shall be so used.

Burial and Burning grounds to be registered.

CLXXXVIII. The Justices may, if they think fit, cause a survey and measurement to be made of every burial ground and every place used as such; and every such place and every burning ground existing at the time of the passing of this Act shall, within one month after this Act shall come into operation, be registered by the owner or the person having the control thereof, or, if there be no owner or person authorized to control the same, by order of the Justices in a book to be kept by them for that purpose; and whoever, after the expiration of the said time, knowingly buries or burns, or causes, procures, or suffers to be buried or burned, any corpse in any ground other than such registered burial or burning ground, shall be liable to a penalty not exceeding one hundred Rupees.

No vault or burial or burning place henceforth to be constructed without leave of the Justices.

CLXXXIX. No vault or grave shall be made within the walls of, or underneath, any church or chapel or other place of public worship built after the passing of this Act, and no burial or burning ground, whether public or private, shall be opened, made, or formed after the passing of this Act, otherwise than by or under the authority of the Government of Bengal, without a license describing the extent and boundaries thereof first obtained from the Justices, who are hereby empowered, at their discretion, from time to time to grant such licenses; and whoever shall bury or burn, or cause, permit, or suffer to be buried or burned, any corpse in any vault, grave, or burial or burning ground opened, made, or formed without such license or contrary to the terms thereof, shall be liable to a penalty not exceeding five hundred Rupees.

Justices to issue certificates prohibiting improper burial places.

CXC. If, upon the evidence of competent persons, the Justices, with the sanction of the Government of Bengal, shall certify, in manner hereinafter provided, that any burial ground or place of burial, or any place used for the burning of corpses is in such a state as to be dangerous to the health of persons living in the neighbourhood thereof, or that any church or other place of public worship is dangerous to the health of persons frequenting the same, by reason of the state of the vaults or graves within the walls of or underneath the same, or in any churchyard or burial-ground adjacent thereto, and shall also certify that a fitting place for interment or burning (as the case may be) exists within a convenient distance, and is available, it shall not be lawful, after a time (not less than two months) to be named in such certificate, to bury or burn, or permit or suffer to be buried or burned, any corpses in, upon, within, or under the ground, church, or place of worship to which the certificate relates, except in so far as may be allowed by such certificate; and whoever, after due publication of such certificate as hereinafter provided, buries or burns, or causes, permits, or suffers to be buried or burned any corpse contrary to this enactment shall be liable to a penalty not exceeding two hundred Rupees. Provided always that every such certificate shall be published in the Government Gazette, and that a translation thereof in Bengalee shall, in the case of a burial or burning ground, be affixed conspicuously on some part of the said ground.

Proviso.

Justices may, in certain cases, permit interment in churches, &c.

CXCI. Notwithstanding any such certificate as in the preceding Section mentioned, where by usage or otherwise there is at the time of the passing of this Act, any right of interment in or under any church or chapel, or in any vault of such church or chapel, or of any church-yard, burial-ground, or place of burial affected by such certificate, or where any exclusive right of interment, or any exclusive right to ground for the purpose of interment has been purchased or acquired before the passing of this Act, it shall be lawful for the Justices if, on application made to them, they are satisfied that the exercise of such right or the use of such ground will not be injurious to health, to grant a license for such exercise or use during such time and subject to such conditions and restrictions as they may think fit.

Justices may provide places to be used as burial or burning grounds.

CXCII. The Justices may, from time to time, out of the funds available for the purposes of this Act, with the consent of the Government of Bengal, provide fitting places to be used as burial or burning grounds.

Justices to make bye-laws for regulation of burial and burning grounds.

CXCIII. The Justices may, in manner hereinafter provided, make bye-laws for the inspection and regulation of burial and burning grounds, and may thereby prescribe rules as to the depth of graves and places of interment, and generally as to all matters connected with the good order of burial and burning grounds, due regard being had to the religious usages of the several classes of the community.

Power to enter upon lands for the purposes of this Act.

CXCIV. The Justices shall, for the purposes of this Act, have power by themselves or their Officers, between sunrise and sunset, to enter into and upon any building or land, as well for the purpose of making any survey or inspection which they may be entitled to make, as for the purpose of executing any work authorized by this Act to be executed

by them, without being liable to any legal proceedings or molestation whatsoever on account of such entry or of any thing done in any part of such building or land in pursuance of this Act.

Proviso.

Provided that, except when herein otherwise provided, the Justices or their Officers shall not enter upon any building or land which they may be occupied at the time unless with the consent of the occupier thereof without previously giving the said occupier twenty-four hours notice of his or their intention to do so.

Power to Justices to enter on lands adjacent to works.

CXCV. The Justices or their Officers or Servants may enter upon the land of any person adjoining to or being within the distance of one hundred yards of any works by this Act authorized to be made for the purpose of depositing upon such land any soil, gravel, sand, lime, brick, stone, or other materials, or for any other purposes connected with the formation of the said works, without making any previous payment, tender, or deposit, doing as little damage as may be in the exercise of the several powers hereby granted to them, and making compensation for such temporary occupation or temporary damage of the said land to the owner and occupier thereof from time to time, and as often as any such temporary occupation shall be taken or such temporary damage done, and making compensation to the owner also for the permanent injury (if any) to such land; and if any dispute shall arise touching the amount or apportionment of such compensation, the same shall be settled in the manner hereinafter provided for the settlement of disputes respecting damages and expenses. Provided that,

Proviso.

before the Justices make any such temporary use as aforesaid of the land adjoining or lying near to the said works, they shall give fourteen days' notice of such their intention to the owners and occupiers of such land, and shall set apart by sufficient fences so much of the land as shall be required to be used as aforesaid from the other land adjoining thereto.

Penalty for obstructing Justices in their duty.

CXCVI. Whoever at any time obstructs or molests any resident Justice, or the Justices or their Officers or workmen, or any person employed by them or with whom they may have contracted under the provisions of this Act in the performance and execution of their or his duty, or of any thing which they are respectively empowered or required to do by virtue or in consequence of this Act; or removes any mark set up for the purpose of indicating any level or direction necessary to the execution of works authorized by this Act, shall be liable to a penalty not exceeding two hundred Rupees, or, in the discretion of the Magistrate before whom he is convicted, to imprisonment for any term not exceeding two months.

Penalty for giving false statement or answer.

CXCVII. Every person who wilfully gives verbally or in writing a false statement of, or neglects or refuses to give, such returns and answers as under this Act may be lawfully required of him shall, on conviction of such offence before a Justice of the Peace, be liable to a fine not exceeding five hundred Rupees, or to imprisonment for a term not exceeding three months.

Powers to be exercised by the Justices when constructing drains and aqueducts without the local limits of the jurisdiction of the High Court.

CXCVIII. For the purposes of constructing aqueducts for bringing water into the Town of Calcutta from any place without the limits of the local jurisdiction of Her Majesty's High Court of Judicature or for the purpose of making sewers or drains to communicate with or empty themselves into any public sewer, lake, stream, canal, or water-course without the said limits, it shall be lawful, whenever a plan for any such aqueduct, sewer, or drain shall have been approved by the Government of Bengal, for the Justices and their Officers, with such assistants as they may require, to exercise in the construction of such aqueduct, sewer, or drain throughout the line or country through which the said aqueduct, sewer, of drain is to run, all the powers which by this Act it is lawful for them to exercise within the said local limits, and which may be necessary for the construction of such aqueduct, sewer, or drain without being subject to any action or molestation whatever for so doing; and it shall also be lawful for any Magistrate of any district through which the said aqueduct, sewer, or drain is to run, to exercise in respect thereof the like powers and jurisdiction within the limits of his own district, as it is by this Act lawful for a Magistrate or two Magistrates (as the case may be) of the said Town of Calcutta to exercise in respect of any work to be executed by the Justices within the said local limits.

Justices empowered to make bye-laws.

CXCIX. The Justices may, from time to time, make such bye-laws as they think fit for the several purposes for which bye-laws are hereinbefore authorized to be made by them, and may, from time to time, repeal, alter, or amend any such bye-laws; provided such bye-laws be not repugnant to law or to the provisions of this Act; and for any breach of any of such bye-laws, the offender shall be liable to a fine not exceeding twenty Rupees, and, in case of a continuing offence, to a further penalty not exceeding ten Rupees for every day, after notice of the offence from the Justices, during which such offence is continued.

Bye-laws to be confirmed.

CC. No bye-law, or alteration of a bye-law, shall have effect until the same is confirmed by the Government of Bengal.

Notice of confirmation.

CCI. No bye-law, or alteration of a bye-law, shall be confirmed until the same has been published in the Government Gazette or in one of the public newspapers at least seven times, nor till the space of one month has elapsed since the date of the first publication, during which period a copy of such proposed bye-law shall be kept at the Office of the Justices; and all persons may, at any time between 10 o'clock in the morning and 5 o'clock in the afternoon, inspect such copy without fee or reward.

Publication of bye-laws.

CCII. Such bye-laws, when confirmed, shall be published in the Government Gazette and in one or more of the public newspapers, and a copy thereof, in English and in Bengalee, shall be painted or placed on boards, which shall be hung up in some conspicuous part of the Office of the Justices.

CCIII. All Courts and Magistrates shall take judicial notice of such bye-laws when the same shall have been confirmed and published as aforesaid.

Bye-laws to be judicially noticed.

CCIV. The Justices shall publish short particulars of the several offences for which any penalty is imposed by this Act, or by any bye-law made under this Act, and of the amount of every such penalty, and shall cause such particulars, in English, Bengalee, and Oordoo, to be painted or placed on boards, which shall be hung up in some conspicuous part of the Office of the Justices.

Publication of penalties.

CCV. The Justices may enter into contracts with any persons for the execution of any works directed or authorized by this Act to be done by the Justices, or for any other things necessary for the purposes of this Act.

Power to Justices to make contracts.

CCVI. The Justices may direct any prosecution for any public nuisance whatsoever, and may order proceedings to be taken for the recovery of any penalties and for the punishment of any persons offending against the provisions of this Act, and may order the expenses of such prosecution or other proceedings to be paid out of the funds applicable to the purposes of this Act. But nothing in this Section shall be held to hinder any person from prosecuting any other person for any nuisance.

Justices may direct prosecutions.

CCVII. Nothing in this Act shall be construed to render lawful any act or omission on the part of any person which is, or but for this Act would be deemed to be a nuisance at common law, nor to exempt any person guilty of a nuisance at common law from prosecution or action in respect thereof.

Act not to affect nuisances at common law.

CCVIII. No action shall be brought against the Justices, or any of their Officers, or any person acting under the direction of the Justices, for any thing done or intended to be done under the powers of this Act, until the expiration of one month next after notice in writing shall have been delivered or left at the Office of the Justices, or at the place of abode of such person, explicitly stating the cause of action and the name and place of abode of the intended plaintiff, and of his attorney or agent in the cause; and upon the trial of any such action, the plaintiff shall not be permitted to go into evidence of any cause of action except such as is stated in the notice so delivered, and unless such notice be proved, the Court shall find for the defendant; and every such action shall be commenced within three months next after the accrual of the cause of action, and not afterwards; and if any person to whom any such notice of action is given shall, before action brought, tender sufficient amends to the plaintiff, such plaintiff shall not recover in any such action when brought; and if no such tender shall have been made, it shall be lawful for the defendant in such action, by leave of the Court where such action shall be pending, at any time before issued joined, to pay into Court such sum of money as he shall think fit, and thereupon such proceedings shall be had as in other cases where defendants are allowed to pay money into Court.

No action to be brought against Justices or their Officers until after one month's notice of cause of action.

CCIX. The Justices may make compensation, out of the funds applicable to the purposes of this Act, to all persons sustaining any damage by reason of the exercise of any of the powers vested in the Justices, their Officers, or servants, under and by virtue of this Act.

Power to make compensation out of funds.

CCX. When there is any hinderance to the acquisition by purchase of any land or building required for the purposes of this Act, the Government of Bengal, upon the representation of the Justices and after such inquiry as may be thought proper, may declare that the land or building is needed for a public purpose, and may order proceedings for obtaining possession of the same for Government, and for determining the compensation to be paid to the parties interested, according to any laws now or hereafter to be in force for the acquisition of land for public purposes. And the Government of Bengal may vest such land or building in the Justices on their paying the compensation awarded.

Mode of ascertaining compensation for land, &c.

CCXI. The Justices, with the sanction of the Government of Bengal, may sell any lands vested in them by virtue of this Act, or acquired by them for the purposes thereof, either together or in parcels as they may find most convenient and advantageous, and the proceeds of such sale shall be applied to the purposes of this Act: and for carrying such sale into effect, the Justices may execute a conveyance of the lands sold to the purchaser, and such conveyance shall be under the common seal of the Justices.

Power to sell lands.

CCXII. Whenever any street or road hereby vested in the Justices shall be discontinued and stopped up under the provisions of Section XCII of this Act, the Justices, with the sanction of the Government of Bengal, may sell the land or such part thereof as shall not be required for the purposes of the Act.

Power to sell old roads.

CCXIII. When any license is granted under the provisions of Sections CXLVII, CLXXVI, or CLXXXV of this Act, authorising the use of any place for any of the purposes therein described, and when permission is given under Section CIV for making any temporary erection, or under Section CXX for puting up any projection, the Justices may charge a fee for such license or permission; and the rates of the fees to be so charged shall be from time to time adjusted by the Justices with the sanction of the Government, provided that no such fee shall exceed the sum of one hundred Rupees. When permission or license is given for the temporary occupation of any ground belonging to the Justices under the provisions of Section CLXXI or Section CLXXIII, the Justices may charge rent for such ground, according to the time the occupation may continue, at such rates as may from time to time be sanctioned by the Government of Bengal.

Fees for licenses.

CCXIV. In all cases where any damages, costs, or expenses are by this Act directed to be paid, the amount of the same, in case of dispute, shall be ascertained and determined by two Magistrates.

Damages and expense how to be determined.

Method of proceeding before Magistrates in questions of damages, &c.

CCXV. In any case referred to the determination of two Magistrates under this Act, it shall be lawful for any Magistrate, upon the application of either party, to summon the other party to appear before any two Magistrates at a time and place to be named in such summons; and every such summons shall be served by delivering the original or a copy thereof to the person summoned, or by leaving the same at his usual place of abode with some adult male member or servant of his family. Upon the appearance of the parties, or in the absence of any of them upon proof of due service of the summons, it shall be lawful for such Magistrates to hear and determine such question, and for that purpose to examine such parties or any of them and their witnesses on oath; and the cost of every such enquiry shall be in the discretion of such Magistrates, and they shall determine the amount thereof. Provided that, in the event of a difference of opinion between such Magistrates, the case shall be referred to the determination of a third Magistrate or (if there be no such Magistrate) of any Justice of the Peace to be selected by them.

Proviso.

Recovery of damages by distress.

CCXVI. If the amount of damages, costs, or expenses ascertained in the manner above described be not paid by the party liable to pay the same within seven days after demand, such amount may be recovered under a warrant from the said Magistrates or either of them by distress and sale of the goods and chattels of such party; and the overplus arising from the sale thereof, after satisfying such amount and the costs of the distress and sale, shall be returned on demand to the party whose goods shall have been distrained.

Justices may sue in competent Court, instead or on failure of distress.

CCXVII. Instead of proceeding by distress and sale, or in case of failure to realize by distress the whole or any part of any expenses, charges, or damages awarded under the provisions of this Act, the Justices may sue the person liable to pay the same in any Court of competent jurisdiction.

Recovery of fines and penalties.

CCXVIII. Every prosecution under this Act may be instituted before any single person having the powers of a Magistrate, unless where otherwise provided; and every fine or penalty, imposed under or by virtue of this Act or any bye-law made in pursuance thereof, may be recovered by summary proceeding before a Magistrate upon information exhibited by order of the Justices.

How fines and penalties are to be applied.

CCXIX. The Magistrate, by whom any fine or penalty is imposed by virtue of this Act, may award any portion, not being more than one-half thereof, to the informer, and shall order the remainder—or, if he make no award to the informer, the whole of such fine or penalty,—to be paid to the Justices, to be by them applied to the purposes of this Act.

No person liable to fine or penalty unless complaint made within two months after offence committed.

CCXX. No person shall be liable to any fine or penalty under this Act, for any offence made cognizable before a Magistrate, unless the complaint respecting such offence shall have been made before a Magistrate within two months next after the commission of such offence.

Damage to the Justices' property to be made good in addition to penalty.

CCXXI. If through any act, neglect, or default, on account whereof any person shall have incurred any penalty imposed by this Act, any damage to the property of the Justices shall have been committed by such person, he shall be liable to make good such damage, as well as to pay such penalty; and the amount of such damage shall, in case of dispute, be determined by the Magistrate by whom the party incurring such penalty shall have been convicted; and on non-payment of such damage on demand, the same shall be levied by distress, and such Magistrate shall issue his warrant accordingly.

Police Officers to report offences to Justices and to arrest unknown offenders.

CCXXII. It shall be the duty of all Police Officers to give immediate information to the Justices of any offence committed contrary to the provisions of this Act. Any Police Officer may arrest any person committing in his view any offence against any of the provisions of this Act, if the name and address of such person be unknown to him, or if such person decline to give his name and address, or if the Police Officer in question shall have reason to doubt the accuracy of such name and address, if given; and such person may be detained at the Station House until his name and address shall be correctly ascertained.

Certain provisions of Act extended.

CCXXIII. If the Lieutenant-Governor of Bengal shall have determined that any portion of the environs of the Town of Calcutta shall be included in the system of sewerage and drainage authorized by this Act, and if the said Lieutenant-Governor shall have declared the boundaries thereof by notification in the Calcutta Gazettee, then Sections CXXIX to CXLV, both inclusive, of this Act shall have effect within the boundaries so declared; and all penalties, expenses, and compensation, which under the said Sections, and by the provisions of this Act, may be adjudged and determined by a Magistrate or by two Magistrates acting in and for the Town of Calcutta, may be adjudged and determined within such boundaries by the Magistrate having jurisdiction therein.

Recovery of expenses on account of improvements to private property.

CCXXIV. Whenever the Justices shall have incurred any expenses in the execution of any of the works which, under Sections CIX, CXXXVI, and CXXXVIII of this Act, the owners of any premises, houses, or buildings are required to execute, the Justices may either recover the amount of such expenses in the manner therein provided, or, if they think fit, may take engagements from the said owners for the quarterly payment of such sums as will be sufficient to defray the whole amount of the said expenses, with interest thereon at the rate of six per cent. per annum, within a period not exceeding five years, and such sums, when due, may be recovered by the same process by which rates may be recovered under this Act.

Commencement of Act.

CCXXV. This Act shall commence and take effect on and from the first day of May 1863.

SCHEDULE A.—*(referred to in Section XXVI.)*

	Rupees per half year.
For every 4-wheel Carriage on springs drawn by two Horses ..	9 0 0
For every 4-wheel Carriage on springs drawn by one Horse or Poney, or a pair of Ponies, under thirteen hands ..	3 0 0
For every 4-wheel Carriage without springs ..	3 0 0
For every 2-Wheel Carriage on springs ..	4 8 0
For every 2-Wheel Carriage without springs ..	1 8 0
For every Horse ..	4 8 0
For every Poney under thirteen hands or Mule ..	1 8 0

Ponies under eleven hands and Children's Carriages, the wheels of which do not exceed twenty four inches in diameter, are exempted.

SCHEDULE B.—*(referred to in Section XXXVII.)*

SHOP AND STALL TAX.

Class I.

1. Shops having glass windows ..	16 0 0
2. Hotels and Punch Houses, and all Spirit Shops ..	
3. Wholesale Tobacco Stores ..	
4. Traders registered under Section (CLXXXIV.) ..	

Class II.

Shops built of brick or stone not having glass windows ..	8 0 0
Permanent Stalls at daily public markets ..	

[The Justices shall from time to time declare which are and which are not public markets within the meaning of this Act.]

Class III.

All retail Shops and Stalls not included in either of the above Classes	3 0 0
All pedlars, hawkers, and other itinerant dealers.	

SCHEDULE C.—*(referred to in Section LXII.)*

NOTICE OF DEMAND.

TAKE notice that the Justices of the Peace for the Town of Calcutta demand from you the sum of due from* [you] as owner *(or occupier) (here describe the property or thing upon which the rate or tax is imposed)* for the months of 186 ; and that if the sum due, together with one Rupee for this notice, is not paid into the Office of the said Justices at or if sufficient cause for the non-payment of the sum is not shown to the Justices within five days from the service of this notice, a warrant of distress will be issued for the recovery of the same with costs.

(L. S.) *(Signature of the Chairman or Vice-Chairman.)*

Date———

SCHEDULE D.—*(referred to in Section LXII.)*

DISTRESS WARRANT.

To *(here insert the name of the Officer charged with the execution of the warrant.)*

WHEREAS of has not paid or shown sufficient cause for the non-payment of the sum of Rupees due for the rates *(or taxes) (or rates and tdxes)* mentioned in the margin for the months of ( ) 186 , although the said sum has been duly demanded in writing from the said and five days have elapsed since the service of the notice of demand; This is to command you to distrain the goods and chattels of the said *(or as the case may be, any goods and chattels found on the premises referred to)* to the amount of the said sum of Rupees, and such further sum as may be sufficient to defray the charges of taking, keeping, and selling such distress; and if, within five days next after such distress, the said sum shall not be paid, together with such further sum as may be sufficient to defray the charges of taking and keeping such distress, to sell the said goods and chattels; and having paid and deducted out of the proceeds of the sale the said sum of Rupees and the charges of taking, keeping, and selling such distress, to return the surplus, if any, on demand, to the person whom you shall find in possession of the said goods and chattels. If sufficient distress cannot be found of the goods and chattels of the said you are to certify the same to us together with this warrant.

(L. S.) *(Signature of the Chairman or Vice-Chairman.)*

SCHEDULE E.—*(referred to in Section LXIII.)*

FORM OF INVENTORY AND NOTICE.

(State particulars of goods seized.)

TAKE notice that I have this day seized the goods and chattels specified in the above inventory for the sum of Rupees due for the rates *(or taxes)* mentioned in the margin for the months of 186 ; and that unless you pay into the Office of the said Justices of the Peace for the Town of Calcutta the amount due, together with costs of this distress, within five days from the day of the date of this notice, the goods and chattels will be sold.

(Signature of the Officer executing the warrant of distress.)

Date———

TABLE OF FEES PAYABLE IN DISTRAINTS UNDER THIS ACT.—*(referred to in Section LXIV.)*

Sum distrained for.	Fee. Rs.	As.
Under 5 Rupees ...	0	8
5 and under 10 Rupees...	1	0
10 „ 15 „ ...	1	8
15 „ 20 „ ...	2	0
20 „ 25 „ ...	2	8
25 „ 30 „ ...	3	0
30 „ 35 „ ...	3	8
35 „ 40 „ ...	4	0
40 „ 45 „ ...	4	8
45 „ 50 „ ...	5	0
50 „ 60 „ ...	6	0
60 „ 80 „ ...	7	8
80 „ 100 „ ...	9	0
Above 100 „ ...	10	0

The above charge includes all expenses, except when peons are kept in charge of property distrained, in which case four annas must be paid daily for each man.

* In the case of a demand under Section LXVI, state that notice of demand has been served upon the owner, and that the sum due remains unpaid.

SCHEDULE F.—*(referred to in Sections LXXVIII and LXXIX.)*

18 BIRTHS IN THE DISTRICT OF

No.	When born.	Nationality or Caste.	Name, if any.	Sex.	Name of Father.	Name of Mother.	Profession of Father.	Signature, description, and residence of Informant.	When registered.	Signature of Registrar.

SCHEDULE G.—*(referred to in Sections LXXVIII and LXXIX.)*

18 DEATHS IN THE DISTRICT OF

No.	When died.	Nationality or Caste.	Name.	Sex.	Age.	Profession.	Cause of Death.	Signature, description, and residence of Informant.	When registered.	Signature of Registrar.

STATEMENT OF OBJECTS AND REASONS.

ON the withdrawal of the Municipal Bills which had been referred to a Select Committee of the Council last year, Government undertook to introduce a measure of a more practical nature and better suited to the state of affairs existing in the Town of Calcutta. The result has been this Bill, which has been framed with the object of entrusting Justices of the Peace, selected by Government from amongst the rate-payers, with a control over the Municipal government of the Town, and at the same time providing that the work of the Municipality shall not be liable to interruption or delay from any omission on their part to attend to their duties. It is proposed to vest the general administrative control of Municipal expenditure in a considerable body, trusting the execution in detail of all sanctioned works to one well paid Officer, who shall devote his whole time and energy to the work. This is to be effected by making all Justices of the Peace resident in the Town of Calcutta a body corporate. It is proposed that Government shall nominate to the office of Chairman of the Justices an energetic and experienced Officer, who must himself be a resident Justice. At the close of each official year, the Chairman will submit to a meeting of the Justices a Budget of the expenditure which he proposes for the ensuing year, and the rates and taxes which he desires to impose for the purpose of meeting this expenditure. The Justices will pass, modify, or otherwise alter, either the amount which it is proposed to expend, or the details of expenditure. They will then determine the amount of rates to be levied within the limits fixed by the Legislature. When the Budget has been passed by the Justices and has received the sanction of the Lieutenant-Governor of Bengal, it will be left to the Chairman to carry out the sanctioned works.

To assist the Chairman, to whom it is proposed to assign a salary not exceeding 3,000 Rupees per mensem (exclusive of house-rent,) there will be a Vice-Chairman, receiving a salary not exceeding 1,200 Rupees per mensem, who will preside at the meetings of the Justices during the unavoidable absence of the Chairman. The Chairman is to have the power of calling meetings of the Justices, in addition to those which the Bill directs to be held Quarterly, whenever he may desire to lay before them any questions of importance, and any five Justices, exclusive of the Chairman and Vice-Chairman, will form a quorum. Any ten Justices may at any time submit to the Chairman a requisition for a Meeting of the Justices, to consider any matter connected with the Municipality, and the Chairman will then be bound to call a Meeting. The Chairman will be removable on a requisition to Government signed by two-thirds of the Justices resident in Calcutta. The Vice-Chairman is to be appointed by the Justices subject to the approval of the Lieutenant-Governor, and may be removed by a Resolution of two-thirds of the Justices. The Chairman will be assisted by an efficient professional staff, consisting of a Secretary, Engineer, Surveyor, Health Officer, and Assessor, to be appointed and removed by the Justices. All other Officers are to be

appointed and removed on the responsibility of the Chairman, but where the salary exceeds 200 Rupees, the confirmation of the Justices will be necessary. The Justices may appoint special Committees to report, or to advise the Chairman, in regard to particular works.

Provision has been made for taking a periodical census of the population, and for establishing a system of registration of births and deaths. The Bill also empowers the Lieutenant-Governor, should he see fit so to do, to place the Police Administration under the Chairman of the Justices.

The present Municipal revenue amounts to somewhat less than eleven lakhs of Rupees, including the one per cent income tax,—a sum which it is admitted is totally inadequate to the requirements of the Town.

Provision has been made for a moderate license tax on all shops, stalls, and pedlars. The great majority of the lower classes literally contribute nothing directly or indirectly to the town revenues, and it is very desirable to reach them by some such measure as a Municipal shop-tax of a few Rupees per annum.

As regards the house-rate, it is proposed to raise it to ten per cent, and at the option of the Justices to substitute a fixed tax for native houses, calculated on the space they occupy. The assessment is made triennial, instead of annual.

It is found that the horse and carriage tax is evaded to an enormous extent, and it is proposed to remedy this by making the payment of the tax compulsory on a certain day by means of registry and license, and in default of such registry and license within a certain date, a penalty of five times the duty is to be imposed.

Though these additional taxes are provided for, it may not be necessary that they should be all imposed at once: a discretion has therefore been left to the Justices in this respect.

Advantage has been taken of the opportunity to consolidate the whole law relating to the Municipality of Calcutta. Acts XIV, XXV, and XXVIII of 1856 have been repealed, but all their more important provisions, with some amendments and improvements which have from time to time been suggested, have been embodied in this Bill.

A. EDEN.

The 17th January 1863.

A. G. MACPHERSON,
Secy. to the Govt. of Bengal,
Legislative Department.

HOME DEPARTMENT.

No. 1513.

Fort William, the 7th March 1863.

Notification.—Subject to the approbation of Her Majesty, His Excellency the Viceroy and Governor General of India having been pleased to appoint the HON'BLE EDMUND DRUMMOND, of the Bengal Civil Service, to be Lieutenant-Governor of the North-Western Provinces of the Bengal Presidency, the said HON'BLE EDMUND DRUMMOND having taken the prescribed Oaths has this day assumed the office of Lieutenant-Governor of the North-Western Provinces of the Bengal Presidency.

The customary Salute was fired from the Ramparts of Fort William.

By Order of the President in Council,

E. C. BAYLEY,
Secy. to the Govt. of India.

No. 1418A.

Fort William, the 3rd March 1863.

Notification.—In supersession of the Notification No. 1473 of this date, the President in Council is pleased to permit the Hon'ble G. F. Edmonstone to resign the Civil Service from the date on which the Steam Ship *Simla* may be left by the Pilot at Sea.

No. 1507A.

The 7th March 1863.

Mr. George Boles Pasley, of the Civil Service, is permitted to proceed to Europe on Furlough for a period of two years from the date of embarkation.

No. 1519.

The 9th March 1863.

The services of Assistant Surgeon J. G. Pilcher are placed at the disposal of the Government of the North-Western Provinces.

No. 1573.

The 10th March 1863.

The following appointments in the Police of the Central Provinces were sanctioned by the Governor General in Council on the 19th of January last:—

Lieutenant D. Macneil, of the 26th Madras Native Infantry, to be Assistant District Superintendent in the Upper Godavery District from the date on which he took charge.

Lieutenant W. Coningham of the same Regiment to officiate temporarily as Assistant District Superintendent, *vice* Lieutenant Faber, temporarily employed on other duty.

No. 1524.

The 7th March 1863.

Notification.—Under the provisions of the Act of Parliament 24 and 25 Vic., Cap. 104, Section VII., the Governor General in Council has been pleased to appoint Mr. Elphinstone Jackson, of the Bengal Civil Service, to officiate as a Judge of the High Court of Judicature at Fort William in Bengal, *vice* Mr. C. B. Trevor, absent on leave.

E. C. BAYLEY,
Secy. to the Govt. of India.

FOREIGN DEPARTMENT.

No. 417.

GENERAL.

Fort William, the 10th March 1863.

The following Notification issued by the Bombay Government is re-published for general information.

By Order of the Hon'ble the President in Council,

E. C. BAYLEY,
Offg. Secy. to the Govt. of India.

POLITICAL DEPARTMENT.

His Excellency the Governor in Council is pleased to publish, for general information, the following arrangement, concluded under instruc-

tions from Her Majesty's Ambassador at Constantinople, by Her Majesty's Consul and British Agent at Jeddah with the Governor of that place, prohibiting the commerce by British Subjects in Wines or Spirits at Jeddah, and defining the conditions on which they will be allowed to be imported.

Jeddah being held to be peculiarly sacred from its situation as the port of the centre of the Mahomedan religion, negotiations have taken place between the British and Ottoman Governments with a view to prohibit the importation to Jeddah of Wines or Spirits, and orders to that effect having arrived from the Sublime Porte, and Her Britannic Majesty's Consul at Jeddah having received instruction from Her Majesty's Ambassador at Constantinople, the following articles have been agreed upon, and every means shall be taken to ensure the due execution, so that, with the exception of a sufficient quantity for the personal use of the British Christian Subjects, the importation of Wines or Spirits at Jeddah shall be prohibited.

In witness whereof the following Articles have been signed by Her Britannic Majesty's Consul at Jeddah, the 29th day of November 1862.

ARTICLE I.

The commerce in Wines or Spirits at Jeddah shall be prohibited.

ARTICLE II.

British Christian Subjects shall be permitted to import sufficient Wines or Spirits for their own personal use, the quantity to be settled each month by the local Government and the British Consul; but taverns shall be prohibited, and no Wines or Spirits shall be sold to Mussulmans.

ARTICLE III.

The *status quo* shall continue until the 1st of January 1863, on which date the taverns shall be closed, and these articles shall come into operation.

(Sd.) G. E. STANLEY,
Her Britannic Majesty's Consul at Jeddah.

By Order of His Excellency the Governor in Council,

(Sd.) H. L. ANDERSON,
Chief Secretary.

BOMBAY CASTLE,
The 11th February 1863.

No. 418.

GENERAL.

Major J. Stubbs, Officiating Deputy Commissioner, West Berar, availed himself, on the 11th ultimo, of the leave granted to him in G. O. dated 10th idem, No. 258, and made over charge of his office to Mr. C. Horden, Assistant Commissioner.

E. C. BAYLEY,
Offg. Secy. to the Govt. of India.

LIST of Persons entitled to the "India Medal," whose Medals lie unclaimed in the Office of the Secretary to the Government of India in the Foreign Department.

Names of Parties.	
Abbott, A. E.	... Engine Driver.
Burrows, John	... Clerk.
Collins, J.	... Pupil, La Martiniere.
Creed, E.	... Ditto, ditto.
Creed, G.	... Ditto, ditto.
Cameron.	... Merchant.
Dodd, G. N.	... Civil Surgeon.
Davey, Peter	... Clerk.
DeRavara, J.	... Steward, La Martiniere.
*Deverine, J.	... Late Superintendent, *Constantia.*
Dowling, Peter	... Out of employ.
Davis, J.	... Overseer.
Dawson, Captain	... Oudh Military Police.
French, Lieutenant C. J.	... Ditto ditto.
Leslie, John	... Clerk, Chief Commissioner's Office.
Marshall, A.	... Assistant Book-keeper.
Parly, J.	... Railway Inspector.
Rae, W.	... Merchant.
Soule, Henry	... Out of employ.
Sadlier, Lieutenant T. J.	... Oudh Military Police.
Smith, C.	... Railway Inspector.
Tucker, R. T.	... Civil Service.
Wilson, R.	... Merchant Tailor.

H. M. DURAND, *Colonel,*
Secy. to the Govt. of India.

FINANCIAL DEPARTMENT.

No. 796.

Fort William, the 10th March 1863.

In continuation of Notification No. 8A., dated the 27th ultimo, the following Statement of Cash Balances as reported up to this date in the Government Treasuries in India, at the close of the month of January last, contrasted with that of the previous years, is published for general information:—

*According to the present limits of the several Governments.	*1861. January.	*1862. January.	*1863. January.
	Rupees.	Rupees.	Rupees.
Government of India ...	2,29,88,380	5,77,83,448	5,89,42,000
Bengal	1,87,34,925	1,88,86,765	2,10,51,231
N. W. Provinces... ...	2,92,34,221	3,10,60,764	3,63,37,772
Punjab	1,28,72,877	1,13,50,942	1,12,80,211
Bombay	2,30,54,997	3,94,60,256	3,7 ,65,024
Central Provinces ...	55,09,720	58,28,188	47,97,792
Deccan	13,95,028	17,43,192	20,65,198
Madras	1,25,87,427	2,00,42,621	2,59,27,924
Total ...	12,63,77,575	18,61,56,176	19,74,67,152

No. 797.

Statement of the amount of Government Currency Notes in Circulation, of the amount of Coin and Bullion Reserve, and Government Securities, held by the Department of Issue of Paper Currency on the 28th February 1863:—

	Calcutta.	Bombay.	Madras.	Total.
Notes in circulation	2,45,60,000	1,65,00,000	60,00,000	4,70,60,000
Silver Coin Reserve	1,77,11,139	35,00,000	60,00,000	2,72,11,139
Silver Bullion Reserve	.....	1,30,00,000	.....	1,30,00,000
Government Securities	68,48,861	.....	.....	68,48,861

(Sd.) H. HYDE,
Head Commr., Dept. of Issue of Paper Currency.

CALCUTTA MINT,
The 3rd March 1863.

No. 798.

The following Statement of the Silver received and coined in the Mints of Calcutta, Madras, and Bombay, in January 1863, is published for general information :—

STATEMENT of the Silver received and coined in the Mints of Calcutta, Madras, and Bombay, in January 1863.

	Calcutta.			Madras.			Bombay.		
	Bullion or Coin received during the month, valued in Rupees.		Coined during the month, valued in Rupees.	Bullion or Coin received during the month, valued in Rupees.		Coined during the month, valued in Rupees.	Bullion or Coin received during the month, valued in Rupees.		Coined during the month, valued in Rupees.
	Government.	Merchants.		Government.	Merchants.		Government.	Merchants.	
In January 1863	283	92,81,466	19,81,267	1,43,717	12,22,369	6,89,000	...	1,43,52,478	46,98,720

J. W. S. WYLLIE,
Under Secy. to the Govt. of India.

MILITARY DEPARTMENT.

GENERAL ORDERS BY HIS EXCELLENCY THE GOVERNOR GENERAL OF INDIA.

Camp Delhie, the 3rd March 1863.

No. 6A. of 1863.—With reference to Government General Order No. 799 of the 19th August 1862, His Excellency the Governor General is pleased to confirm the appointment of Colonel Lord Mark Kerr, C. B., 1st Battalion, Her Majesty's 13th Light Infantry, as a Brigadier, to complete the Establishment, with effect from the 18th of November last, the date of departure on sick leave to Europe of Brigadier S. T. Christie, C. B.

No. 7A. of 1863.—The services of Lieutenant W. Tweedie, Adjutant of the 1st Hyderabad Cavalry, are placed at the disposal of the Foreign Department for temporary employment.

Camp Sihanee, the 5th March 1863.

No. 8A. of 1863.—Colonel J. M. Adye, C. B., of Royal Artillery, is appointed Deputy Adjutant-General of Royal Artillery in India, in succession to Lieutenant-Colonel G. Moir, C. B., who is permitted to resign the appointment on account of the state of his health.

No. 9A. *of* 1863.—The Right Hon'ble the Governor General is pleased to confirm the nomination of Major-General the Hon'ble Sir R. Napier, K. C. B., as Honorary Colonel of the Corps of *Calcutta Volunteer Rifles*.

No. 10*A. of* 1863.—The following copy of a Military letter from the Right Hon'ble the Secretary of State for India, No. 43, dated 31st January 1863, is published for general information :—

MILITARY.

No. 43.

To HIS EXCELLENCY THE RIGHT HON'BLE THE GOVERNOR GENERAL OF INDIA IN COUNCIL.

MY LORD,—Referring to my letter dated 14th August last, I have to inform you that it has been arranged, with the view of obviating the delay which now takes place, that the promotions in the whole of the Royal Artillery and Engineers shall be made exclusively in this country, casualties as they occur in the Corps being immediately reported to the Horse Guards by the Officers Commanding Brigades in India, and promotions in succession being carried out on receipt of such advices, after approval by the Field Marshal Commanding-in-Chief and the Secretary of State for India in Council.

No. 291.

2. In consequence of this alteration it is necessary that the Governments in India should furnish special reports of all retirements amongst the Officers of the late Indian Brigades of Artillery and Battalions of Engineers which may take place in India, with a view to their early communication to the Horse Guards.

I have, &c.,

INDIA OFFICE; LONDON,
The 31st January 1863.

(Sd.) C. WOOD,

H. W. NORMAN, *Lieut.-Col.*,
Secretary to the Govt. of India,
with the Governor General.

MILITARY DEPARTMENT.

Fort William, the 9th March 1863.

No. 190 *of* 1863.—The undermentioned Officers are permitted to proceed to Europe on leave of absence on Sick Certificate :—

Lieutenant Henry Boileau Lockwood, of the late 4th European Light Cavalry, Adjutant of the Governor General's Body Guard ...	For twelve months, under the new Regulations.
Lieutenant Henry Lachlan Young, of the General List, Infantry, doing duty with the 1st Regiment Native Infantry ...	For eighteen months, under the new Regulations.

No. 191 *of* 1863.—The following Order issued by the Government of Bombay is confirmed :—

No. 74, *dated* 10*th February* 1863.—Granting leave of absence to Europe, on Medical Certificate, to Lieutenant F. J. Innes, of the Bombay Staff Corps, Adjutant and Officiating Second in Command, 4th Cavalry, Hyderabad Contingent ...	For twenty months.

No. 192 *of* 1863.—In conformity with the 10th paragraph of Government General Order No. 724, dated 19th August 1861, the following is made :—

Ordnance Commissariat Department.

Sub-Conductor Henry Hobery to be Conductor from the 27th January 1863, *vice* Conductor Warburton, retired.

No. 193 *of* 1863.—The undermentioned Officer is permitted to proceed to Europe on leave of absence on Sick Certificate :—

Lieutenant Herbert Philip Streatfeild, of the General List, Infantry, doing duty with the 32nd Regiment Native Infantry ...	For fifteen months, under the new Regulations.

Fort William, the 10*th March* 1863.

No. 194 *of* 1863.—The undermentioned Officer has reported his return from England :—

	Date of arrival at Fort William.
Captain T. E. Webster, of the 9th Regiment Native Infantry ...	1st March 1863.

No. 195 *of* 1863.—Quarter-Master Serjeant Michael Townsend, of the 22nd Brigade, Royal Artillery, who was admitted to Pension in Government General Order No. 962 of the 22nd October 1862, is permitted to reside and draw his stipend in India, instead of in Europe as previously authorized.

No. 196 *of* 1863.—The undermentioned Out-Pensioner of the Royal Hospital at Chelsea having been permitted to reside and draw his stipend in India, payment of Pensions is to be made and charged accordingly :—

	Rate of Pension per diem.
Serjeant Richard Grant, of Her Majesty's 107th Foot ...	One shilling and eight pence per diem, from the date he ceases to receive Regimental Pay.

No. 197 *of* 1863.—The undermentioned Officer has reported his return from England :—

	Date of arrival at Fort William.
Lieutenant H. B. Webster, of the late 4th European Light Cavalry ...	6th Jan. 1863.

No. 198 *of* 1863.—Lieutenant H. B. Webster, of the late 4th European Light Cavalry, is allowed an extension of leave to the 6th January 1863, the date on which he reported his return to Bengal from sick leave to Europe.

H. K. Burne, *Major*,
Offg. Secy. to the Govt. of India.

PUBLIC WORKS DEPARTMENT.

General,—Establishments.

No. 47.

Fort William, the 10*th March* 1863.

Notification.—Captain W. S. Oliphant, Royal Engineers, *Executive Engineer, Second Class, Thyet Myo Division, assumed charge of that Division from Lieutenant D. Cowie, Royal Artillery, on the 3rd February 1863.

* *Vide* Notification No. 7, dated 14th January 1863.

J. P. Beadle, *Lieut.-Col., R. E.*,
Offg. Secy. to the Govt. of India, in the Public Works Dept.

MARINE DEPARTMENT.

No. 4870.

The 3rd September 1862.

List of Persons entitled to Medals as noted below, whose Medals lie unclaimed in the Office of the Controller of Marine Affairs :—

1st China War.

Abree, Domingo ...	Steamer "Nemesis."
Augustin, John ...	" "Enterprize."
Cæsar, Augustine ...	" "Tenasserim."
Coco, F. ...	" "Nemesis."
Colquhoun, J. ...	" "Queen."
Conletts, Victor ...	" "Nemesis."
DeCruz, D. ...	" "Enterprize."
Domingoes, M. ...	" "Nemesis."
Domingo ...	" "Queen."
Fairclough, H. ...	Gunner, Steamer "Madagascar."
Francis, J. ...	Steamer "Nemesis."
Gomes, A. ...	" "Queen."
Gomes, A. ...	" "Madagascar."
Gomes, R. ...	" "Queen."
Gomes, A. ...	" "Hooghly."
Green, T. ...	2nd Class Engineer, Steamer "Phlegethon."
Harley, H. L. ...	1st Engineer, Steamer "Nemesis."
Higgs, T. ...	Engineer Apprentice, Steamer "Enterprize."
Hume, W. ...	2nd Officer, Steamer "Tenasserim."
Jesus, M. ...	Steamer "Enterprize."
Lawrence, A. ...	Petty Officer, Steamer "Madagascar."
Massiah, J. ...	Steamer "Enterprize."
Miguel, F. ...	" "Nemesis."
Norton, G. ...	1st Engineer, Steamer "Tenasserim."
Pyva, P. ...	Steamer "Madagascar."
Rosana, da P. ...	" "Queen."
Sheriff, E. ...	" "Madagascar."
Smith, J. ...	" "Queen."
Symonds, R. ...	" "Proserpine."
Thompson, J. ...	1st Engineer, Steamer "Pluto."
Wall, A. P. ...	1st Lieutenant, Steamer "Queen."

Burmah Medals with Clasps for Pegu.

Barton, C.	...	Engineer Apprentice, Steamer "Fire Queen."
Bendle, G. H.	...	Apothecary, Steamer "Mahanuddy."
Bolt, C.	...	Clerk in charge, Steamer "Pluto."
Bowen, C.	...	1st Engineer, Steamer "Mahanuddy."
Conway, M.	...	Engineer Apprentice, Steamer "Damoodah."
Davidson, G.	...	1st Engineer, Steamer "Mahanuddy."
Denton, H. W.	...	3rd Officer, Surveying Vessel "Krishna."
Eckley, E.	...	" " " "
Evans, G. W.	...	2nd Officer of the Steamer "Damoodah."
Godfrey, W.	...	Purser's Steward, Steamer "Nerbuddah."
Godwin, M. F.	...	Clerk, Steamer "Indus."
Halyburton, J.	...	A. B., Steamer "Pluto."
Hodge, T.	...	2nd Officer, Steamer "Pluto."
Hood, J. H.	...	2nd Officer of the Steamer "Lord William Bentinck."
Jackson, R.	...	Boatswain, "Phlegethon."
Kennedy, J.	...	Boatswain, Steamer "Fire Queen."
Lawson, W. S.	...	Surgeon, Steamer "Proserpine."
Lodge, W.	...	A. B., "Tenasserim."
Lowcay, W.	...	A. B., "Tenasserim."
Mackay, J.	...	Engineer Apprentice, Steamer "Hugh Lindsay."
Main, G.	...	A. B., Steamer "Tenasserim."
Middleton, J.	...	3rd Engineer, Steamer "Proserpine."
Miller, J. M.	...	Surgeon, "Fire Queen."
Pope, J.	...	Gunner, Steamer "Pluto."
Ramsbotham, W.	...	Engineer Apprentice, Steamer "Pluto."
Rean, J. R.	...	2nd Officer, Steamer "Enterprize."
Rean, J. T.	...	Midshipman, Steamer "Enterprize."
Tassuph, M.	...	Commander, Steamer "Phlegethon."
Thompson, R. S.	...	Surgeon, Steamer "Pluto."
Tonze, W. B.	...	3rd Officer, Steamer "Enterprize."
Twisden, F.	...	Midshipman, Steamer "Pluto."
Woodley, J.	...	Midshipman, Steamer "Tenasserim."

India Medals.

Brown, William	...	Ganges Flotilla.
Sanderson, R.	...	Civil Service.

Lucknow Medals.

Brien, J. J.	...	

JOHN G. REDDIE,
Offg. Controller of Marine Affairs.

ORDERS by the LIEUTENANT-GOVERNOR of BENGAL.

No. 1868.

APPOINTMENTS.—*The 5th March* 1863.—Messrs. D. W. Burnett and C. P. Brownfield, Sub-Assistant Revenue Surveyors, Second Class, First or Northern Division, to be Senior Sub-Assistant Revenue Surveyors, First Class.

Mr. R. Barclay, Sub-Assistant Revenue Surveyor, Second Class, Third or Eastern Division, to be Senior Sub-Assistant Revenue Surveyor, First Class.

Mr. H. Billon, Sub-Assistant Revenue Surveyor, Third Class, Sixth or Hazareebaugh Division, to be Sub-Assistant Revenue Surveyor, Second Class.

Mr. G. E. Nash, Junior Sub-Assistant Revenue Surveyor, Second or Southern Division, to be Sub-Assistant Revenue Surveyor, Third Class.

Mr. S. M. Smylie, Junior Sub-Assistant Revenue Surveyor, Third or Eastern Division, to be Sub-Assistant Revenue Surveyor, Third Class.

Mr. H. R. Littlewood, Sub-Assistant Revenue Surveyor, Fourth or Western Division, to be Sub-Assistant Revenue Surveyor, Third Class.

Mr. G. V. Thompson, Sub-Assistant Revenue Surveyor, Fifth or Arracan Division, to be Sub-Assistant Revenue Surveyor, Third Class.

Mr. R. Savage, Sub-Assistant Revenue Surveyor, Fifth or Arracan Division, to be Sub-Assistant Revenue Surveyor, Third Class.

The above promotions will take effect from the 1st of January last.

Baboo Protab Chunder Chatterjee, B. A. and B. L., Deputy Magistrate and Deputy Collector of Chumparun, is vested with the full powers of a Magistrate in that District.

The 6th March 1863.—Moulavy Wajeeoollah, Deputy Magistrate of Hooghly, is transferred to Beerbhoom, in which District he will exercise the full powers of a Magistrate.

LEAVE OF ABSENCE.—*The 7th March* 1863.—Mr. W. C. Eades, Officiating Joint Magistrate and Deputy Collector of Mymensing, for four weeks, to appear before the Medical Committee at the Presidency.

Moulavy Imdad Ali, Principal Sudder Ameen of Tirhoot, for fifteen days, under Section VIII. of the Uncovenanted Absentee Rules.

Baboo Shyamalanund Mookerjee, Deputy Magistrate and Deputy Collector of Jamoorkandi, for one month, on Medical Certificate, under Clause 2, Section V. of the Uncovenanted Absentee Rules, in extension of the leave granted to him on the 26th of January last.

The 9th March 1863.—The Reverend T. A. Firminger, Chaplain of Chinsurah, for eighteen months, on Medical Certificate, under Section XI. of the new Military Furlough Rules.

The 7th March 1863.—The services of Mr. Elphinstone Jackson are placed temporarily at the disposal of the Government of India in the Home Department.

The 9th March 1863.—The appointment of Major J. Smith to be District Superintendent of Police in Rajshahye, notified in the *Gazette* of the 18th ultimo, is cancelled at his own request.

E. H. LUSHINGTON,
Secy. to the Govt. of Bengal.

Public Works Department.—Bengal.

GENERAL,—ESTABLISHMENTS.

No. 48.

The 7th March 1863.

Resignation.—Mr. A. E. Byrn, Assistant Accountant of the Second Class in the Establishment of the Principal Subordinate Accountants of the Public Works Department in Bengal, is permitted to resign his appointment, with effect from the 27th September 1862.

No. 49.

Appointments.—The following appointments are made in the Establishment of the Principal Subordinate Accountants of the Public Works Department in Bengal to complete that Establishment:—

To be Assistant Accountants of the Third Class.

Wood, Mr. T. W.
Banerjee, Baboo Madhub Chunder.
Bose, Baboo Mudden Mohun.
Day, Baboo Romanath.
James, Mr. G. A., Supernumerary.

No. 50.

The 9th March 1863.

Baboo Gopal Chunder Goopto, Sub-Overseer of the Third Class, Third Grade, having passed the prescribed Examination, is appointed a Sub-Overseer of the Second Class, Third Grade.

F. R. BOYCE,
Asst. Secy. to the Govt. of Bengal, in the Public Works Dept.

ORDERS by the LIEUTENANT-GOVERNOR, N. W. Provinces.

PUBLIC WORKS DEPARTMENT.—No. 911 — *Allahabad, the 14th February* 1863.—*Notification.*—The following Statement of Works of public utility constructed by private Individuals at their own cost in the Agra Division, during the year 1861-62, is published for general information :—

Statement of Works of public utility constructed at the cost of private Individuals in the Districts of the Agra Division during the Year 1861-62.

1.	2.	3.	4.	5.	6.	7.	8.
Division.	District.	Names of Individuals.	Description of Works.	Places where constructed.	Cost.	Total.	REMARKS.
AGRA.	Muttra.	Lalla Chowbey Kalla ... Pundit Jwala Pershad and others, residents of Bhurtpoore Durwazah ...	Stone Drains on both sides of the street, 938½ yards.	From Lallagunge to Chouk Bazar in the City of Muttra ...	3,267 11 3		
		Madoo Lall, Mukhun Lall, Sadick Shah Fukeer and others, residents of Chouk-Bazar ...	Stone Drains on both sides of the street, 936 yards.	From Nubbee's Mosque to Shamee Ghaut ...	3,435 6 10		
		Seth Luchmee Chund, Gungadeen ... Bulla Aheer and other residents of Holee Bazar ..	Stone Drains on both sides of the street, 1967¾ yards.	From Shamee Ghaut to Holee Durwazah ...	6,399 4 9	...	Nearly 2¾ miles of Stone Drains have been completed by private Individuals.
		Residents of Lall Durwazah...	Stone Drains on both sides of the street, 31 yards.	Adjoining Sal Durwazah ...	124 4 6		
		,, of Deegh Durwazah.	Stone Drains on both sides of the street, 19¾ yards.	Adjoining Deegh Durwazah ...	78 13 8		
						13,305 9 0	
		Tora Buneeah ...	Pucca Well ...	Hatras road at Mouzah Khonwall ...	250 0 0		
		Geeasee a ...	Pucca Ghaut in Tank...	Kusbeh Kosee ...	100 0 0		
		Beerbul ...	Pucca Ghaut in Tank...	Tomolah, Pergunnah Kosee ...	75 0 0		
		Gobind Doss Sookhanund ...	Pucca Well ...	Juchoonda, Pergunnah Kosee ...	350 0 0		
		Gheesa Beg ...	Ditto ...	Quesbeh Muttra ...	350 0 0		
		Roshun Loll Karinda ...	Ditto ...	Sadabad ...	300 0 0		
		Doubit Ram Basdeo ...	Ditto ...	Ditto ...	350 0 0		
		Natthoo Buneea ...	Ditto ...	Ditto ...	300 0 0		
						2,075 0 0	
				Total Rupees ...	15,380 9 0		
	Agra.	Param Sookh Kaith ...	Dhurmsalla ...	Mouzah Ramungger, Pergunnah Kundowlee	2,000 0 0		
		Ditto ...	Pucca Well ...	Ditto ...	800 0 0		
						2,800 0 0	
		Loochoo Birhamin ...	Ditto ...	Mouzah Kurondhna, Pergunnah Irradutnugger ...	250 0 0		
		Gokul Chund Buneea ...	Ditto ...	Mouzah Mohunpoor, Pergunnah Irradutnugger ...	250 0 0	500 0 0	
				Total Rupees ...	.....	3,300 0 0	
	Furruckabad.	Buldeo Halwaeeh ...	A Pucca Well ...	At Gunge Tirwah ...	250 0 0	.....	Completed.
		Khooshealee Buneea ...	Ditto ...	At Torwa Khass ...	300 0 0	.....	Ditto.
				Total Rupees ...	.....	550 0 0	
	Etah.	Kyrathi Loll, of Omapoor ...	Ditto ...	Shahpoor, Mouzah Urjoonpoor ...	50 0 0		
		Ditto Ditto ...	Ditto ...	In the village of Kursoonah ...	125 0 0		
		Ditto Ditto ...	Ditto ...	At Amapoor Khass ...	150 0 0		
				Total Rupees ...	.....	325 0 0	

No. 1004.—*The 21st February* 1863.—*Transfers.*—Sub Overseer Gowree Shunkur from the Allahabad Division, Public Works, to the 4th Division, Grand Trunk Road.

No. 1005.—Mr. W. E. Parry, Assistant Engineer, 3rd Division, Grand Trunk Road, to the Allahabad Division, Public Works, *vice* Mr. J. M. Easton, who has resigned his appointment in the Public Works Department.

No. 1010.—*Notification.*—Numerous applications having been received from District Officers for the services of practical Overseers, such persons as possess the necessary qualifications and desire to obtain employment are requested to send in their names and copies of certificates to the Principal of the Thomason College at Roorkee, who will register them and recommend them for employment as opportunity offers.

No. 1051.—*The 23rd February* 1863.—*Transfers.*—Assistant Supervisor Serjeant J. Brown from the Irrigation Department to the Second Circle, Public Works Department, North-Western Provinces, and is posted to the Benares Division Public Works.

No. 1057.—*The 26th February* 1863.—Probationary Assistant Supervisor Mr. H. C. Woods from the 4th Division, Grand Trunk Road, to the Barielly Division, Public Works.

Sub-Overseer Hubbeeb-ool Rahman from the Allahabad to the Barielly Division, Public Works.

No. 1098.—*The 25th February* 1863.—Overseer Madho Pershaud Chuckerbutty from Goruckpoor, in the Benares Division, to the Barielly Division, Public Works.

No. 1123.—*The 27th February* 1863.—Sub-Overseer Roheem Buksh employed on the Agra and Bombay Road is transferred from the First to the Second Circle, Public Works Department, North-Western Provinces, and posted to the Cawnpoor and Malthone Road.

No. 1132.—*Notification.*—Mr. J. Hair, Assistant Engineer, appointed to officiate as Superintendent, Boolundshuhur Branch, Ganges Canal, in Notifica- No. 536, dated 29th January 1863, joined his appointment on the 5th instant.

No. 1133.—*Transfer.*—Mr. A. W. Brind, Assistant Engineer, from the Eastern Jumna Canal to the Northern Division, Ganges Canal.

No. 1144.—*The 27th February* 1863.—The Notification, No. 385, dated 20th January last, transferring Mr. W. W. Culcheth, Deputy Superintendent, Northern Division, Ganges Canal, to the Benares Division, as Civil Divisional Engineer, is cancelled.

By Order of the Hon'ble the Lieutenant-Governor, North-Western Provinces,

W. E. Morton, *Lieut.-Col.*,
Secy. to Govt., N. W. P.

ORDERS by the LIEUTENANT-GOVERNOR, Punjab Provinces

Revenue Department.—*The 2nd March* 1863.—*Leave.*—No. 169.—Mr. W. Matthews, Patrol, Salt Department, has obtained three months leave of absence, under Section VII. of the Uncovenanted Leave Rules, from such date, subsequent to 10th March 1863, as he avail himself of it.

Judicial Department.—*The 3rd March* 1863.—*Powers.*—No. 162.—Motee Ram, Naib Tehsildar of Bhowarna, in the Kangra District, is vested with the powers of a Subordinate Magistrate of the Second Class.

Police Department.—*The 3rd March* 1863.—*Appointments.*—No. 161.—Lieutenant C. T. Lane to be Assistant Superintendent of Police in the Bunnoo District.

Lieutenant W. C. Chowne to be Assistant Superintendent of Police in the Dera Ismael Khan District.

General Department.—*The 2nd March* 1863.—*Leave.*—No. 469.—Native Doctor Sheikh Chaddee, attached to the Lahore Central Jail, has obtained leave of absence, on private affairs, from the date of his availing himself thereof, until 1st August 1863.

The 3rd March 1863.—*Correction.*—No. 472.—In the list of sanctioned holidays for 1863 published in the *Punjab Government Gazette* at pages 50, 62, and 72, the date on which the Holee festival is to fall should be the 5th instead of the 7th of March.

The 4th March 1863.—*Appointment.*—No. 483.—Sub-Assistant Surgeon Beharee Lall, attached to the Sealkote Dispensary, to the Civil Medical charge of Goojranwalla, as a temporary arrangement.

The 4th March 1863.—*Notification.*—No. 485.—Lieutenant E. A. C. Lambert, Cantonment Joint Magistrate of Sealkote, has passed the Examination prescribed for Cantonment Joint Magistrates.

T. D. Forsyth,
Offg. Secy. to Govt., Punjab.

STATEMENT shewing the Importations of Salt (private property) in Bond and Afloat on the River Hooghly subject to Customs duty on the 1st March 1863.

Description of Salt.	Government Golahs.	Private Golahs.	Afloat.	Total.
	In. Mds.	In. Mds.	In. Mds.	In. Mds.
Liverpool Pungah...	11,30,239	11,14,504	4,41,547	26,86,290
French Kurkutch...	...	13,529	280	13,809
Ceylon „ ...	2,128	20,456	439	23,023
Bombay „ ...	50,099	87,589	83,856	2,21,544
Madras „ ...	33,776	45,995	33,649	1,13,420
Scinde „ ...	72,493	63,153	...	1,35,646
Arabian and Persian Gulfs ...	...	12,910	11,810	24,720
Muscat Rock ...	6,000	10,283	...	16,283
Total ...	12,94,735	13,68,419	5,71,581	32,34,735

J. P. Grant,
Offg. Junior Secretary.

Board of Revenue;
Fort William,
The 7th March 1863.

Opium Notification.

NOTICE is hereby given, that the Fourth sale of Opium, the provision of 1861-62, will be held at the Exchange Hall on Monday, the 6th of April 1863, at 11 A. M., and will comprise 3,300 Chests, *viz.*,—

Behar Opium	...	1,860
Benares Opium	...	1,440
Total Chests	...	3,300

2. The general Conditions of the sale now advertized will be the same as usual. They may be ascertained by reference to the Notification issued on the 8th November 1862 and published in the *Government* and *Exchange Gazettes*, or on application at the Office of the Board of Revenue.

3. The latest dates for deposit and clearance will be the 11th and 21st April 1863 respectively, that is to say, no Bank of Bengal Receipts, Company's Paper, or other Public Securities that may be tendered for deposit in redemption of Promissory Notes given by Purchasers in the Sale Room, will be received after 4 P. M. of Saturday, the 11th April 1863, and no Bank of Bengal Receipts in full payment of Lots will be accepted after 4 P. M. of Tuesday, the 21st April 1863.

4. In addition to the quantity above advertized for sale, the following quantities, more or less, of Behar and Benares Opium of 1861-62 will be brought to sale, in the present year, on or about the dates specified below. The Board, however, reserve to themselves the right of altering these dates should circumstances render it expedient to do so:—

	Behar about Chests.	Benares about Chests.	Total about Chests.
On or about Wednesday, 6th May 1863	1,860	1,440	3,300
Ditto Monday 8th June „	1,860	1,440	3,300
Ditto Thursday, 9th July „	1,860	1,440	3,300
Ditto Monday, 10th Aug. „	1,860	1,440	3,300
Ditto Monday, 7th Sept. „	1,860	1,440	3,300
Ditto Monday, 5th Oct. „	1,860	1,440	3,300
Ditto Monday, 9th Nov. „	1,860	1,440	3,300
Ditto Monday, 7th Dec. „	1,853	1,464	3,317
Total ...	14,873	11,544	26,417

By Order of the Board of Revenue,

J. P. GRANT,

Offg. Junior Secretary.

The 3rd March 1863.

Orders by the Vice-Chancellor and Syndicate of the Calcutta University.

26. A SPECIAL Meeting of the Senate will be held at the Town Hall on Monday, the 16th of March, at 4 ½ P. M., for conferring Degrees.

27. Graduates and Under-Graduates of this University who wish to be present must apply for Tickets at the University Office.

28. Graduates and Licentiates must appear in their proper Academic costume.

J. RICHARDS, M. A.,

Offg. Registrar.

The 10th March 1863.

NOTICE.

THE TRADE RETURNS of the Port of Calcutta, for the MONTHS ended 31st AUGUST and 30TH SEPTEMBER 1862, may be had at Rupees 4 per copy, on application at the *Calcutta Gazette* Office.

The 17th February 1863.

Lectures on Geology.

"UNDER orders from Goverenment, and with the permission of the Asiatic Society, Mr. Henry F. Blanford will deliver a course of twelve Lectures on Geology at the Asiatic Society's Museum, No. 1, Park Street.

An introductory Lecture will be read on Monday, the 16th instant, at ½ past 4 P. M., and a Lecture will be deliverd on each successive Monday at the same hour until the conclusion of the course

Terms of admission, 10 Rupees for the course. Application or Tickets to be made at the Society's Rooms between the hours of 10 A. M. and 4 P. M."

W. S. ATKINSON,

Director of Public Instruction.

FORT WILLIAM,
The 6th March 1863.

Notice.

SEALED TENDERS will be received by the Secretary to the Chief Commissioner up to the 3rd April 1863, and opened by him at his Office on that day in the presence of all parties who may choose to attend, or their Agents, for the supply, by contract, of printed and lithographed English and Vernacular Forms for the year 1863-64.

The Tenders must be accompanied by specimens of paper and printing, and be superscribed with the words "*Tenders for Printing*," but must not have the name of the Tenderer writ en on the envelope.

It will not be obligatory on the Secretary to accept the lowest Tender unless he is satisfied with the specimen of materials and workmanship and the ability of Tenderer to fulfil his engagement. The Forms must be delivered at Lucknow free of all charges on and after the 1st May next, but they will be rejected if not equal to the specimen. In case of failure to furnish them when required they will be obtained elsewhere.

No payment in advance will be made.

The Forms are in English and Vernacular, the former are on

Foolscap paper of 1 sheet.
½ „
¼ „
⅛ „

and the latter on

Serampore of the above sizes, and 1 sheet Bengal paper.

Intending Tenderers may get a list of the Form and full particulars from the Secretary's Office

J. REID,

Secy. to the Chief Comr., Oudh.

LUCKNOW,
The 24th February 1863.

MEDICAL DEPARTMENT.

COMPARATIVE RETURN shewing the expenditure of Spirits, Wine, Malt Liquor, and Effervescing Liquids in the European Military Hospitals in the Bengal Presidency during the month of December 1862, the strength of the charges, and the percentage of expenditure on the aggregate number of sick diets compiled from the Statements furnished by Deputy Inspectors-General of Hospitals.

DIVISIONS.	STRENGTH.		NUMBER OF DIETS.		SPIRITS.		WINE.		MALT LIQUOR.		EFFERVESCING LIQUIDS.		LIME JUICE.	
	Combatants.	Non-Combatants.	Hospital Apprentices.	Sick.	Number of Bottles.	Per Cent. on Sick.	Number of Bottles.	Per Cent. on Sick.	Number of Bottles.	Per Cent. on Sick.	Number of Bottles.	Per Cent. on Sick.	Number of Bottles.	Per Cent. on Sick.
Presidency ...	1,532	360	523	10,541	23	6·76	280	82·34	681	200·27	102	29·99	4	1·18
Barrackpore ...	4,211	715	313	4,686	11	7·28	119	78·72	324	214·34	168	111·14	52	34·40
Dacca ...	416	252	...	509	...	...	14	85·26	10	60·90	...	...	...	...
Dinapore ...	1,692	333	155	4,568	32	21·72	131	88·90	467	316·92	158	107·22	65	44·11
Benares ...	1,622	294	150	3,566	15	13·04	78	67·81	1,208	1050·14	10	8·70	12	10·43
Cawnpore ...	3,965	386	453	11,309	84	23·03	244	66·90	722	197·91	31	8·50	151	41·40
Agra ...	3,787	498	260	6,391	36	17·46	206	99·92	507	245·92	189	91·68	32	15·52
Meerut ...	6,894	1,022	504	13,982	87	19·29	429	95·12	1,713	79·80	108	23·95	155	34·37
Lucknow ...	4,947	786	319	10,103	149	45·72	305	93·58	1,510	463·33	417	127·95	248	76·10
Saugor ...	1,087	141	93	2,871	6	6·48	57	62·55	182	189·55	10	10·90	399	430·83
Sirhind ...	3,363	392	461	4,196	50	36·94	141	104·17	386	285·18	14	10·34	47	34·72
Meean Meer ...	4,419	524	485	8,387	104	38·44	445	164·48	1,313	485·31	143	52·85	91	33·63
Sealkote ...	1,611	300	186	4,490	52	36·60	459	316·90	1,299	896·87	20	13·81	12	8·29
Peshawur ...	6,144	862	591	10,449	126	37·38	273	80·99	811	240·61	566	167·92	335	99·39
Total ...	45,690	6,865	4,493	96,048	775	25·01	3,181	102·67	11,133	359·32	1,936	62·49	1,603	51·74

ABSTRACT.	Expended during the month.	As per previous month's Return.	Increase.	Decrease.
Total Bottles of Spirits ...	775	864	...	89
„ „ „ Wine ...	3,177	4,424	...	1,247
„ „ „ Malt Liquor ...	11,133	12,597	...	1,464
„ „ „ Effervescing Liquids	1,936	4,128	...	2,192
„ „ „ Lime Juice ...	1,603	2,228	...	625

EXAMINER'S OFFICE, MEDICAL DEPT.;
Fort William,
The 4th March 1863.

J. H. BUTLER, *Surgeon-Major,*
Examiner of Medical Accounts.

Analysis of the Return.

Divisions.	Spirits.	Wine.	Malt Liquor.	Effervescing Liquids.	Lime Juice.
	Per Cent. on Sick.	Per Cent. on Sick.	Per Cent. on Sick.	Per Cent. on Sick.	Per Cent. on Sick.
Presidency ...	6.76	82·34	200·27	29·99	1·18
Barrackpore ...	7.28	78·72	214·34	111·14	34·40
Dacca ...	...	85·26	60·90	...	...
Dinapore ...	21.72	88·90	316·92	107·22	44·11
Benares ...	13·04	67·81	1050·14	8·70	10·43
Cawnpore ...	23·03	66·90	197·91	8·50	41·40
Agra ...	17·46	99·92	245·92	91·68	15·52
Meerut ...	19·29	95·12	79·80	23·95	34·37
Lucknow	45·72	93·58	463·33	127·95	76·10
Saugor ...	6·48	62·55	189·55	10·90	430·83
Sirhind ...	36·94	104·17	285·18	10·34	34·72
Meean Meer ...	38·44	164·48	485·31	52·85	33·63
Sealkote ...	36·60	316·90	896·87	13·81	8·29
Peshawur ...	37·38	80·99	240·61	167·92	99·39
Total ...	25·01	102·67	359·32	62·49	51·74
As per previous month's Return ...	22·71	116·28	331·11	108·50	58·56
Increase ...	2·30	...	28·21	...	...
Decrease ...	...	13·61	...	46·01	6·82

Examiner's Office, Medical Dept.;
Fort William,
The 4th March 1863.

J. H. Butler, *Surgeon-Major,*
Examiner of Medical Accounts.

CUSTOMS.

List of unclaimed Packages lying on the Custom House Wharf.

Date of Landing.	Mark or Address of Packages.	Ships.
1862, Nov. 4th ...	1 Bundle, no mark ...	Steamer Reiver.
„ 10th ...	1 Case, W ...	Evangeline.
„ 28th ...	132 Packages, A N in diamond ...	New Castle.
1863, Jan. 14th ...	1 Cask, H M in parallelogram ...	Ditto.
„ 16th ...	47 Hogsheads Porter ...	Middlesex.
1862, Dec. 16th ...	5 Casks, B J B C in cross ...	Conflict.
Nov. 12th ...	1 Box, P B, H C D ...	Str. Candia.
„ 12th ...	1 Parcel, F S 90 ...	Ditto.
„ 12th ...	1 Package, J Larrard ...	Ditto.
Dec. 13th ...	41 Water Casks, no mark ...	Adamant.
„ 4th ...	5 Packages, H. J. Bell ...	Str. Thunder.
„ 18th ...	5 Packages, L C B ...	Warrior Queen.
„ 1st ...	1 Parcel Samples, N P C ...	Str. Nubia.
„ „ ...	1 Package C. Enys ...	Ditto.
„ „ ...	1 Package Baggage, L. P. Watts ...	Ditto.
„ 19th ...	6 Cases, Miss Reed ...	Shannon.
„ 19th ...	12 Cases, F S and Co. ...	Ditto.
„ 10th ...	4 Cases, L K ...	Ditto.
„ 12th ...	6 Cases, T in diamond ...	Ditto.
„ 12th ...	4 Cases, G R N S ...	Ditto.
„ 24th ...	4 Cases, T S and Co. in diamond ...	Ditto.
„ 24th ...	57 Casks, A W in diamond ...	City of Paris.
„ 24th ...	1 Case, E P K ...	Ditto.
„ 1st ...	5 Rolls of Leather, B S and Co. ...	Agamemnon.
„ 4th ...	1 Case, Thomas Skinner, Esq., care of Thacker, Spink and Co. ...	Ditto.
„ 6th ...	2 Cases, J I in diamond ...	Ditto.
„ 3rd ...	1 Case, S F ...	Ditto.

Calcutta Customs,
The 10th March 1863.

J. A. Crawford,
Offg. Collector of Customs.

No. 69.

Commissariat Notice.

SEALED Tenders will be received by the Commissariat Officer at No. 6, Park Street, up to 2 o'clock P. M. of the 6th April 1863, and opened there at noon on the day following in the presence of attending parties, for the supply of the Articles specified in the subjoined Schedule.

2. Form of Tender will be supplied by the undersigned on application.

3. Tender to be superscribed—"Tender for Coffee."

4. Tenders will not be received after the hour fixed.

5. Tendering parties will be required to offer for all the Coffee needed.

6. Tendering parties must lodge with their Tenders the requisite Security by Bank of Bengal Receipt or Government Promissory Note.

SCHEDULE.

NAME OF ARTICLE.	Aggregate Quantity required.	Where and to whom deliverable.	Instalments deliverable and specification of delivery.	Earnest Money to be lodged with Tender.	Security for completion of Contract.	Quality of Supply.
Coffee, picked and cleaned, Colombo or Bourbon ...	1,00,000 (one hundred thousand) lbs.	At Commissariat Godown, Baloo Ghaut. To the Executive Officer or his Assistant.	50,000 lbs. on or before 1st August 1863. 50,000 lbs. on or before 1st October 1863.	2½ per Cent on value.	10 per Cent on value.	Muster can be seen at the Commissariat Office.

FORT WILLIAM;
Executive Commissariat Office,
The 5th March 1863.

A. D. DICKENS, *Major,*
Assistant Commissary General.

No. 11.

Commissariat Notice.

SEALED Tenders will be received by the Commissariat Officer at Dacca up to 2 P. M. on the 3rd April 1863, and opened by him at his Office at noon of the following day in the presence of all parties who may be pleased to attend for the supply, by Contract, of the Articles specified in the subjoined Schedule.

2. No Tenders will be received except on Form obtainable from the Executive Commissariat Officer.

3. Tenders to be superscribed—"Tenders for the supply of Sugar."

4. Tenders offered after the hour named in this Advertisement will be refused.

5. Tendering parties must lodge with their Tenders the requisite Earnest Money by Dacca Branch of Bank of Bengal Receipt or Government Promissory Note:—

SCHEDULE.

Number of Tender invited.	Name of Article.	Period for which Contract is invited.	Aggregate quantity probably deliverable during the Contract.	Where and to whom Article is deliverable.	Instalment deliverable and specific time of delivery.	Amount of Earnest Money.	Security to be deposited for Contract.	Quality of Supply.	Remarks.
			Dacca.			Rupees	Rupees		
1	Sugar ...	1st May 1863 to 30th April 1864.	17,520 lbs. ...	Ration Ground and Hospital. To Commanding and Medical Officers.	At half an hour before sunrise daily. According to daily indent in the proportion prescribed by Government.	75	300	Equal to Muster.	

C. S. LANE, *Captain,*

Sub-Assistant Commissary General.

DACCA;
Executive Commissariat Office,
The 4th March 1863.

ADVERTISEMENT OF SALE.

NOTICE is hereby given, that the Zemindaree rights of Government to the Khas Mehals situated in the District of Midnapore, and mentioned in the Statement hereto annexed, will be put up to sale, under orders of the Board of Revenue, as communicated in their Secretary's letter No. 182, dated 13th December 1862, in the Midnapore Collectorate, on Monday, the 6th day of April 1863, corresponding with the 26th Choit 1270 Umlee, and the 25th Choit 1269 Bengallee.

The Purchasers of the Mehals will be subject to the undermentioned Conditions :—

CONDITIONS OF SALE.

1*st.*—The Estates to be sold to the highest bidders above the upset price.

2*nd.*—When the amount of purchase money does not exceed Rupees 100, the whole amount to be paid down at once. When the amount of purchase money exceeds Rupees 100, a deposit, at Rupees 25 per cent., to be at once made upon the amount bid; the same to be forfeited to Government if the whole amount of purchase money be not paid by noon of the 15th day after the sale, or if the day be a close holiday, then on the first Office day, reckoning the day of sale as one, and the Mehal will be again put up to sale at the risk of the former Purchaser.

3*rd.*—The sale to be subject to existing leases and to the right conferred by the Settlement proceedings and laws in force, and Purchasers to be bound to respect the rights of resident cultivators who have signed the Jummabundees made by the Revenue Authorities.

4*th.*—The annual Embankment charges of the Mehals which are assessed with such charges will be paid by the Purchasers, as heretofore paid by Government, proportionately with other Zemindars. The existing arrangements for the repairs and maintenance of the Embankments will remain in force.

5*th.*—In addition to the ordinary Sudder Jummas fixed on the Estates Purchasers will be bound to pay an annual sum calculated at one per cent. on the Sudder Jummas, to be devoted to the construction of roads and improvement of communications. This sum will be leviable in the same manner as other arrears of Revenue.

1	2	3	4	5	6	7
Number of Lot.	Collectorate Towjee Number.	Name of Mehals and Pergunnahs.	Area.	Sudder Jumma.	Upset Price.	Remarks.
			B. C. B.	Rs. As. P.	Rs. As. P.	
		66-67				
1	Under Hoodas of Mehal No. 191 Towjee. After sale each Estate will be separately numbered in the Towjee.	Chundeepore, in Pergunnah Kedarkoond ...	583 7 12	313 0 0	626 0 0	Let in farm to the end of 1271 Umlee.
		68				
2		Beloon, Pergunnah Kedarkoond ...	164 19 8	140 0 0	280 0 0	Ditto.
		69				
3		Khamar Koosoomda, Pergunnah Kedarkoond ...	16 12 8	16 0 0	32 0 0	Ditto.
		72				
4		Borooee, Pergunnah Kedarkoond ...	70 16 0	62 0 0	124 0 0	Ditto.
		74				
5		Doojeepore, Pergunnah Kedarkoond ...	438 16 8	194 0 0	388 0 0	Ditto.
		75				
6		Tagareea, Pergunnah Kedarkoond ...	335 4 12	159 0 0	318 0 0	Ditto.
		9				
7	Under Hoodas of Mehal No. 192 Towjee. After sale each Estate will be separately numbered in the Towjee.	Nischanta, Pergunnah Khurugpoor ...	427 7 8	389 0 0	778 0 0	Ditto.
		50				
8		Barogarea Rutunpoor, Pergunnah Khurugpoor ...	65 18 4	27 0 0	54 0 0	Ditto.

Midnapore Collectorate,
The 9th January 1863.

H. Madocks,
Officiating Collector.

ADVERTISEMENT OF SALE.

NOTICE is hereby given, that the Zemindaree Right of Government to the several Khas Mehals, situated in the District of Bhullooah, and mentioned in the Statement hereunto annexed, will be put up to sale, under orders of the Board of Revenue, dated 28th October 1862, No. 60, at the Bhullooah Collectorate, on the 13th March 1863, corresponding with the 1st Choitro 1269 *B. S.*

The Purchasers of such Mehals will be subject to the Conditions laid down below :—

CONDITIONS OF SALE.

1*st.*—Estates to be sold, with the Sudder Jummas entered against each below, to the highest bidder above the upset price.

2*nd.*—The sale to be subject to existing leases and to the right conferred by the Settlement proceedings and laws in force, and Purchasers to be bound to respect the rights of resident cultivators who have signed the Jummabundee made by the Revenue Authorities.

3*rd.*—If the amount of purchase money do not exceed Rupees 100, the whole amount is to be paid down at once.

4*th.*—If the amount of purchase money exceed Rupees 100, a deposit is to be at once made of Rupees 25 per cent. upon the amount bid; the same to be forfeited to Government and the sale cancelled if the whole amount of purchase money be not paid by noon of the 15th day after the sale, reckoning the day of sale as one, and the Mehal will be again put up to sale at risk of the former Purchaser.

5*th.*—The purchase will have effect from 1st May 1863.

6*th.*—The Purchasers shall be bound to pay in addition to the Sudder Jumma one per cent. on the total Sudder Jumma assessed from the date of entry upon their purchase for the construction of roads and improvement of communication. This sum will be levied in the same manner as arrears of Revenue.

Number of Lots.	Number of Towjee.	Names of Mehal and Pergunnah.	Area.	Sudder Jumma.	Upset Price.
			B. C. C.	Rs. As. P.	Rs. As. P.
1	1390	Chur Purbush, attached to no Pergunnah ...	5,515 14 0	205 0 0	410 0 0
2	1405	Chur Boiragee, attached to no Pergunnah ...	79 8 13	48 0 0	96 0 0
3	1493	Jimba Jumoon Hossein, attached to no Pergunnah ...	80 13 0	12 0 0	24 0 0
4	351	Talook Imaumddy, Pergunnah Kanchunpore ...	21 10 3	4 0 0	8 0 0
5	1553	Chur Sunno Algee, attached to no Pergunnah ...	5,089 16 11	7 0 0	To be sold to the highest bidder.
6	4	Chur Algee, attached to no Pergunnah	6,014 18 5	1,218 0 0	2,436 0 0
7	5	Mehal Barropottah, attached to no Pergunnah ...	56 15 5	43 0 0	86 0 0
8	9	Chur Sekunder, four annas share Ramkanth, attached to no Pergunnah ...	180 4 9	8 0 0	To be sold to the highest bidder.
9	39	Chur Hassen Hosein, attached to no Pergunnah ...	322 17 13	35 0 0	70 0 0

J. H. HANKEY,
Officiating Collector.

BHULLOOAH COLLECTORATE,
The 20th December 1862.

ADVERTISEMENT OF SALE.

NOTICE is hereby given, that the Zemindaree right of Government to the undermentioned Khass Mehal, situated in the District of Rajshahye, and mentioned in the Statement hereto annexed will be put up for sale, under orders of the Board of Revenue, No. 7, dated 13th January 1863, in the Rajshahye Collectorate, on the 25th March 1863, corresponding with the 13th Chyte 1269. The Purchaser of such Mehal will be subject to the Conditions laid down below :—

CONDITIONS OF SALE.

1*st*.—The Estate to be sold, with the sudder jumma entered below, to the highest bidder above the upset price.

2*nd*.—The sale to be subject to existing leases and to the right conferred by the Settlement proceedings and laws in force, and the Purchaser to be bound to respect the rights of resident cultivators who have signed the ummabundee made by the Revenue Authorities.

3*rd*.—If the amount of purchase money do not exceed Rupees 100, the whole amount is to be paid down at once.

4*th*.—If the amount of purchase money exceed Ruppes 100, a deposit to be at once made of Rupees 25 per cent. upon the amount bid ; the same to be forfeited to Government and the sale cancelled if the whole amount of purchase money be not paid by noon of the 15th day after the sale, reckoning the day of sale as one, and the Mehal will again be put up to sale at the risk of the former Purchaser.

5*th*.—In addition to the ordinary sudder jumma fixed on the Estate the Purchaser will be bound to pay an annual sum calculated at one per cent. on the sudder jumma, to be devoted to the construction of roads and improvement of communication. This sum will be leviable in the same manner as arrears of Revenue.

No.	Towjee Number.	Name of Mehal and Pergunnah.	Area.	Sudder Jummah.	Upset Price.	Remarks.
			B. C. C.	Rs. As. P.	Rs. As. P.	
31	1626	Dehi Binsorah Basbareah, Pergunnah Katermul. ...	2,166 15 15	190 0 0	980 0 0	

RAJSHAHYE COLLECTORATE,
The 19th February 1863.

J. R. MUSPRATT,
Collector.

TO BE PEREMPTORILY SOLD altogether, or in Lots, as the Master shall direct, pursuant to an Order of the late Supreme Court, dated 24th March 1862, made in a cause of Nolitmohun Doss, *vs.* John Cochrane, Official Assignee, and as such Assignee of Peter DePenning and George Alfred DePenning, with the approbation of the Master of the said Court, at his Office, in the Court House, on Monday, the 30th day of March 1863, the following property, that is to say,—

A brick-built Dwelling-house at Chamdani, in the District of Hooghly, near Pultah Ghaut, with a piece of land adjoining, and on part whereof the same is built, containing fifty-eight biggahs, nine cottahs, and eight chittacks, or thereabouts, subject to an annual ground rent payable to the Talookdar of Gyrutty, of Sicca Rupees one hundred and twenty-five, bounded on the north by a Garden; on the east by the Grand Trunk Road; and on the south and west by a Lane.

Also another piece of land contiguous to the above (and from which it is separated by the said Lane on the south), containing seven biggahs and ten cottahs, or thereabouts, subject to an annual ground rent payable to the said Talookdar of Sicca Rupees twenty-five, and bounded on the north by the said Lane; on the east by the Grand Trunk Road; on the south by Grounds now, or late of Pertaub Baugdee and Ameer Khan, and on the west by the said Lane.

Also another piece of land contiguous to the first mentioned piece (the Grand Trunk Road running between them), containing twenty biggahs or thereabouts, subject to an annual ground rent, payable to the said Talookdar, of Sicca Rupees fifty, and bounded on the north by the Gurhetty French Garden; on the South by the Government Encamping Ground; on the east by the River Hoogly, and on the west by the Grand Trunk Road.

Further particulars may be had at the Master's Office, or of Messrs. Berners, Sanderson, and Fergusson, Solicitors for the Plaintiff.

JOSEPH GOODEVE,
Master.

BERNERS, SANDERSON, AND FERGUSSON,
Plaintiff's Solicitors.
No. 7, Hastings' Street, Calcutta.

CALCUTTA;
High Court, Master's Office,
The 28th February 1863.

For Sale,

By auction, at a fair upset price, 8 Iron framed Barracks in the Military Cantonment of Raneegunge, at 7 o'clock A. M. on the 16th of March 1863. After sale the Buildings to be at the risk of the Purchaser and to be dismantled and removed by the 10th of April 1863.

Companies or Merchants requiring large Godowns will find an advantage in the purchase of these Buildings.

For further particulars apply to the Executive Engineer, 1st Division, Grand Trunk Road, Raneegunge.

EDWARD ROOKE,
Executive Engineer, 1st Division,
Grand Trunk Road.

Notice.

No. 12 of 1862-63.

It is intended about the 15th of April next to hold, at the Government Timber Depôt, Rangoon, a sale of about 8,000 logs of Teak Timber. Further particulars will appear hereafter.

By Order of the Officiating Conservator of Forests, British Burmah,

A. S. MACDONALD,
Asst. Conservator of Forests, Rangoon.

OFFICE OF THE ASSISTANT CONSERVATOR OF FORESTS;
Rangoon,
The 13th February 1863.

Bank of Bengal.

MR. DAVID WOODS has been this day appointed additional Deputy Secretary of the Bank of Bengal.

By Order of the Directors,

GEORGE DICKSON,
Secy. and Treasurer.

BANK OF BENGAL,
The 5th March 1863.

People's Bank of India "Limited,"

3, HARE STREET, CALCUTTA.

ALL information respecting Rules and Terms of business will be forwarded on application to

R. E. K. WILKINSON,
Manager.

PURSUANT to an order of the High Court of Judicature at Fort William in Bengal, in its ordinary original Civil jurisdiction, made in the matter of the Estate of William Amys Rolfe, deceased, the Creditors of the said William Amys Rolfe, late a Surgeon in the Service of the Hon'ble East India Company, on their Bengal Establishment, who died on or about the month of August one thousand eight hundred and fifty-seven, are by their Solicitors, on or before the thirty-first day of March next, to come in and prove their debts before the Hon'ble Sir Mordaunt Lawson Wells, one of the Judges of Her Majesty's High Court of Judicature at Fort William in Bengal, at the Court House, in Esplandade Row, or before such other of the Judges of the said High Court as may be then sitting on references, or in default thereof they will be peremptorily excluded from the benefit of the said order. Wednesday, the fifteenth day of April one thousand eight hundred and sixty-three, at ten o'clock in the forenoon, at the said Court House, is appointed for hearing and adjudicating upon the claims.

Dated this 28th day of February 1863.

R. BELCHAMBERS,
Registrar.

SANDES, STACK AND CO.,
Solicitors for the Plaintiff.

Court for the Relief of Insolvent Debtors at Calcutta.

In the matter of John David Humphreys, lately residing and carrying on business as Boarding and Lodging House-keeper at No. 7, Sooterkin's Lane, in Calcutta, an Insolvent.

Notice, that an application for an *ad interim* protection order has been this day made by the said Insolvent, and that such application will be heard and disposed of by the Acting Commissioner of the Insolvent Court on Tuesday, the 17th day of March instant, at the hour of 10 o'clock in the forenoon.

☞ "*Any Creditor of the said Insolvent desirous of opposing such application must appear before the said Court at the time and place aforesaid.*"

Pearson, *Attorney.*

In the matter of John David Humphreys, lately residing and carrying on business as Boarding and Lodging House-keeper at No. 7, Sooterkin's Lane, in Calcutta, an Insolvent.

Notice, that the petition of the said Insolvent seeking the benefit of the Act XI. Vic., Cap. XXI., was filed in the Office of the Chief Clerk on the 3rd day of March instant, and by an order of the same date the Estate and Effects of the said Insolvent were vested in the Official Assignee.

Pearson, *Attorney.*

In the matter of John David Humphreys, lately residing and carrying on business as Boarding and Lodging House Keeper at No. 7, Sooterkin's Lane, in Calcutta, an Insolvent.

On Tuesday, the 3rd day of March instant, it was ordered that the matters of the petition of the said Insolvent be heard on Saturday, the 2nd day of May next, and that the said Insolvent do then attend to be examined before the said Court.

Pearson, *Attorney.*

In the matter of Joseph Julius Maximilian Kaas, formerly carrying on business as a Railway Contractor and Lime Burner at No. 49, Clive Street, in Calcutta, under the Firm of Kass and Co., afterwards in co-partnership with Jules Perrot, under the Firm of Kaas, Perrot and Co., at No. 5, Royd Street, in Calcutta, and now at Seebpore, in co-partnership with G. F. Behrends, under the Firm of Kass and Co., as Steam Saw Mill Proprietor, and at No. 81, South Collingah, in Calcutta, as a General Contractor and Lime Burner, an Insolvent.

Notice, that an application for an *ad interim* protection order has been this day made by the said Insolvent, and that such application will be heard and disposed of by the Acting Commissioner of the Insolvent Court on Tuesday, the 17th day of March instant, at the hour of 10 o'clock in the forenoon.

☞ *"Any Creditor of the said Insolvent desirous "of opposing such application must appear before "the said Court at the time and place aforesaid."*

Robertson and Hickle, *Attorneys.*

In the matter of Joseph Julius Maximilian Kaas, formerly carrying on business as a Railway Contractor and Lime Burner at No. 49, Clive Street, in Calcutta, under the firm of Kaas and Co., afterwards in co-partnership with Jules Perrot, under the Firm of Kaas, Perrot and Co., at No. 5, Royd Street, in Calcutta, and now at Seebpore, in co-partnership with G. F. Behrends, under the Firm of Kaas and Co., as Steam Saw Mill Proprietor, and No. 81, South Collingah in Calcutta, as a General Contractor and Lime Burner, an Insolvent.

On Saturday, the 7th day of March instant, it was ordered that the matters of the petition of the said Insolvent be heard on Saturday, the 2nd day of May next, and that the said Insolvent do then attend to be examined before the said Court.

Robertson and Hickle, *Attorneys.*

In the matter of Nilmoney Sein, a Shopkeeper at Burra Bazar, in Calcutta, an Insolvent.

On Saturday, the 7th day of March instant, it was ordered that the matters of the petition of the said Insolvent be heard on Saturday, the 2nd day of May next, and that the said Insolvent do then attend to be examined before the said Court.

Strong, *Attorney.*

In the matter of Sallah David Joseph Ezra, of Manuk's Lane, inhabitant, an Insolvent.

Notice, that the petition of the said Insolvent seeking the benefit of the Act XI. Vic., Cap XXI., was filed in the Office of the Chief Clerk on the 3rd day of March instant, and by an order of the same date the Estate and Effects of the said Insolvent were vested in the Official Assignee.

Carapiet, *Attorney.*

In the matter of Sallah David Joseph Ezra, of Manuk's Lane inhabitant, an Insolvent.

On Tuesday, the 3rd day of March instant, it was ordered that the matters of the petition of the said Insolvent be heard on Friday, the 17th day of April next, and that the said Insolvent do then attend to be examined by the said Court.

Carapiet, *Attorney.*

In the matter of William George Baxter, an Insolvent.

In the matter of Ange Hadangue, an Insolvent.

On Saturday, the 7th day of March instant, it was ordered that the hearing of these several matters do stand adjourned until Saturday, the 6th day of June next, and that the order made in these matters for the *ad interim* protection of the said Insolvents from arrest be enlarged to the said 6th day of June next, and that the said Insolvents do then respectively attend to be examined before the said Court.

Berners, Sanderson and Fergusson, *Attorneys.*

Downing., *Attorney.*

In the matter of John Rozario, an Insolvent.

In the matter of John Shircore, an Insolvent.

In the matter of George Frederick Abich, an Insolvent.

In the matter of Grees-Chunder Chatterjee, an Insolvent.

In the matter of Walter Henry Parker, an Insolvent.

In the matter of William Richard Robertson, an Insolvent.

On Saturday, the 7th day of March instant, it was ordered that the hearing of these several matters do stand adjourned until Saturday, the 2nd day of May next, and that the said Insolvents do then respectively attend to be examined before the said Court.

Insolvent in Person.

Molloy and Dallas, *Attorneys.*

Sims, *Attorney.*

Temple and Fenn, *Attorneys.*

Insolvent in Person.

Insolvent in Person.

In the matter of Mathew Steel Templeton, an Insolvent.

On Saturday, the 7th day of March instant, it was ordered that the hearing of this matter do stand adjourned until Saturday, the 5th day of September next, and that the order made in this matter for the *ad interim* protection of the said Insolvent from arrest be enlarged to the said 5th day of September next, and that the said Insolvent do then attend to be examined before the said Court.

Insolvent in Person.

In the matter of Henry Christian Bendix Roose, an Insolvent.

In the matter of Augustus Stacy Patten, an Insolvent.

In the matter of Thomas Walter Macquire, an Insolvent.

In the matter of John Michael Vaughan, an Insolvent.

In the matter of Edgar Horatio Radcliffe, an Insolvent.

On Saturday, the 7th day of March instant, it was ordered that the hearing of these several matters do stand adjourned until Saturday, the 2nd day of May next, and that the order made in these matters for the *ad interim* protection of the said Insolvents from arrest be enlarged to the said 2nd day of May next, and that the said Insolvents do then respectively attend to be examined before the said Court.

Goodall, *Attorney*.
Pittar, *Attorney*.
Temple and Fenn, *Attorneys*.
Insolvent in Person.
Goodall, *Attorney*.

In the matter of Baneymadub Day, an Insolvent.

In the matter of Malchus Catchatoor Malchus, an Insolvent.

In the matter of John Brightman Vandenberg, an Insolvent.

On Saturday, the 7th day of March instant, it was ordered that the hearing of these several matters do stand adjourned until Saturday, the 18th day of April next, and that the order made in these matters for the *ad interim* protection of the said Insolvents from arrest be enlarged to the said 18th day of April next, and that the said Insolvents do then attend to be examined before the said Court.

Pearson, *Attorney*.
Mackertich, *Attorney*.
Carapiet, *Attorney*.

In the matter of Haradhone Chunder, *alias* Harran Chunder Dutt, an Insolvent.

On Saturday, the 7th day of March instant, it was ordered that the hearing of this matter do stand adjourned generally.

Shircore and Vertannes, *Attorneys*.

In the matter of William Samuel Palmer, an Insolvent.

On Saturday, the 7th day of March instant, it was ordered that the hearing of this matter do stand adjourned until the first Court day in April 1864, and that the said Insolvent do then attend to be examined before the said Court.

Pearson, *Attorney*.

In the matter of Bholanauth Mullick, an Insolvent.

On Saturday, the 7th day of March instant, it was ordered that the hearing of this matter do stand adjourned until Saturday, the 18th day of April next, and that the said Insolvent do then attend to be examined before the said Court.

Piddington, *Attorney*.

In the matter of Edwin Gwyther, an Insolvent.

On Saturday, the 7th day of March instant, it was ordered that the hearing of this matter do stand adjourned until Saturday, the 2nd day of May next, with liberty to the said Insolvent to amend his Schedule, and that the said Insolvent do then attend to be examined before the said Court.

Sims, *Attorney*.

Chief Clerk's Office, the 10th March 1863.

Notice.

THE Partnership heretofore existing between HERSCHELL DEAR and ALEXANDER CHRISTIAN as Railway Contractors and Timber Merchants having been dissolved by mutual consent on the 30th day of June last, the undersigned is prepared to execute orders for Timber of every description by contract.

ALEXANDER CHRISTIAN.

MONGHYR,
The 27th October 1862.

H. Dear & Co.,

TIMBER MERCHANTS.

THE above Firm is prepared to undertake the supply of Sleepers or Timber to Railway Companies or other parties.

For the last 11 years the Firm has successfully carried out very heavy engagements with the East Indian Railway Company, as also with the Government of India, and has still extensive Contracts with both for Timber and Sleepers.

H. DEAR & Co.

MONGHYR,
The 27th January 1863.

India General Steam Navigation Company "Limited."

NOTICE is hereby given, that the usual Half-yearly Ordinary General Meeting of Shareholders of the above Company will be held at the Company's Office at one o'clock on Thursday, the 12th day of March 1863.

By Order of the Directors,

W. T. SALMON,
Secy., I. G. S. N. Co. "Limited."

Calcutta Steam Tug Association "Limited."

THE Half-yearly Meeting of Shareholders will be held at the Office of the Secretaries on Monday, 16th March 1863, at noon.

The Books and Accounts are open to the inspection of Shareholders.

GORDON, STUART & Co.,
Secretaries.

CALCUTTA,
The 2nd March 1863.

Notice.

Mr. Evan Alexander Jack is authorized to sign our Firm per procuration from this date.

Playfair, Duncan & Co.

Calcutta,
The 2nd March 1863.

Notice.

Mr. James Blackburn Knight is authorized from this date to sign the Firms of W. Newman and Co., of Arlington and Co., and of Harold and Co.

Samuel Harraden.

Calcutta,
The 2nd March 1863.

Notice.

Mr. Demetrius Joseph Zemin is authorized from this date to sign the Firm of Arlington and Co.

Samuel Harraden.

Calcutta,
The 2nd March 1863.

For Sale,

The Mehals of Pergunnah Rockunpore to the west of the Bhaugirruttee, situated in Zillah Moorshedabad. For particulars apply to James Cockburn, Esquire, Rampore Bauleeah, or to Jardine, Skinner and Co., Calcutta.

Jardine, Skinner and Co.,
Managing Agents of B. Watson and Co.

NOTICE issued by the POST-MASTER GENERAL of BENGAL.

No. 10453.

The Public are informed that experimental Post Offices have been opened at Kooshteah and Chooadanga on the Eastern Bengal Railway Line.

C. K. Dove,
Post-Master General of Bengal.

Calcutta,
The 7th March 1863.

NOTICES issued by the POST-MASTER of CALCUTTA.

No. 224.

The 10th March 1863.—Notice is hereby given, that the Mails for Chittagong, Akyab, Rangoon, and Moulmein, for transmission per Steamer *Rangoon*, will be closed at this Office on Sunday, the 15th instant, at 6 P. M.

Letters, &c., for Port Blair can be sent *viâ* Moulmein by this opportunity.

No. 225.

The 10th March 1863.—Mail Packets for the Overland Mail which leaves Bombay on the 28th March 1863 will be closed at this Office at 5 P. M. on Thursday, the 19th idem, *viâ* Marseilles only.

Letters and Papers for transmission *viâ* Bombay will be received up to 6 P. M. on every day prior to the 19th, and Inland Postage to Bombay must be prepaid in Stamps on Letters sent by this opportunity to places in Egypt and to Countries in Foreign Europe *viâ* Trieste.

Rates of Postage.

		Rs.	As.	P.
Under ¼ Ounce	...	0	6	0
„ ½ „	...	0	8	0
„ ¾ „	...	0	14	0
„ 1 „	...	1	0	0

No. 226.

The 10th March 1863.—The Public are informed that an Express Packet to the extent of 200 Ounces will be sent to Bombay on Friday, the 20th instant, and Letters will be received up to 6 P. M. of the same day.

Each Firm or Individual will be allowed to send Letters up to one Ounce in weight, and the Express Postage must be paid in cash at the Window at one Rupee for ¼ of an Ounce in addition to the Steamer Postage paid by Stamps.

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No. 21] [845]

The Calcutta Gazette.

SATURDAY, MARCH 14, 1863.

Home Department.

LEGISLATIVE.

THE following Act of the Governor-General of India in Council received the assent of His Excellency the Governor-General on the 23rd February 1863, and is hereby promulgated for general information :—

ACT No. VIII OF 1863.

An Act for the amendment of the law relating to the confinement of Prisoners sentenced by Courts acting under the authority of Her Majesty and by certain other Courts and of Prisoners convicted of offences in Native States.

Preamble.

WHEREAS it is desirable to amend the law relating to the confinement of Prisoners who have been sentenced by Courts acting under the authority of Her Majesty, or of the Government of India, or of any Local Government; and whereas it is expedient to make the same provision for the secure custody of persons convicted of participation in the offence of Suttee (burning alive) or Sumadh (burying alive) and of such other offences as the Governor-General in Council shall from time to time, by an order to be published in the Government Gazette, think fit to prescribe, within the Territories of Native Princes or States in alliance with Her Majesty as is already made in regard to persons convicted of Thuggee or Dacoity in such States; It is enacted as follows :—

Repeal of Regulations and Acts.

I. Regulation IX of 1833 of the Bombay Code *(to provide for the reception in the Jails under that Presidency of Prisoners sentenced by Courts of Justice or Tribunals acting under British superintendence other than those provided for in the existing Regulations)*, Act XVIII of 1843 *(for the better custody of persons convicted of Thuggee and Dacoity)*, and Act V of 1847 *(to facilitate the execution of the sentences of Courts established by the authority of the Governor-General in Council for the administration of Criminal Justice in States or Territories administered by Officers acting under the authority of the East India Company)* are hereby repealed.

Officers in charge of Jails may give effect to sentences passed by certain Courts.

II. Officers in charge of Jails within the British Territories in India shall be competent to give effect to any sentence which shall be passed by any Court or Tribunal acting under the authority of Her Majesty, or of the Government of India, or of any Local Government, although such Court be not situate in a place not subject to the General Regulations. Provided that this Section shall not apply to any Officer in charge of any Jail or House of Correction within the local limits of the ordinary original Civil jurisdiction of any Court established by Royal Charter.

Proviso.

Warrant of Officer of such Court to be sufficient authority.

III. A warrant under the official signature of an Officer of the Court or Tribunal as aforesaid shall be sufficient authority for holding any Prisoner in confinement, or for transmitting any prisoner for transportation beyond Sea in pursuance of the sentence passed upon him.

Executive Government may authorize reception detention or imprisonment in British India of persons convicted of certain offences in Native States.

IV. It shall be lawful for the Executive Government of any part of the British Territories in India, to authorize the reception, detention, or imprisonment in any part of those Territories, for the periods specified in their respective sentences, of persons sentenced within the Territories of any Native Prince or State in alliance with Her Majesty to imprisonment or transportation for the offence of Thuggee or Dacoity, or the offence of belonging to any gang of Thugs or Dacoits, or for participation in the offence of Suttee or Sumadh, or for such other offences as the Governor-General in Council shall from time to time, by an order published in the Government Gazette, think fit to prescribe. Provided always that such sentences shall have been pronounced after trial before a Tribunal in which an Officer of Government, duly authorized in that behalf by such Prince or State, shall be one of the presiding Judges. Every Officer of Government so authorized as aforesaid shall

Proviso.

forward with every Prisoner a certificate of his conviction, and a copy of the proceedings held at the trial, that the same may be forthcoming for reference at the place where the sentence of imprisonment or transportation may be carried into effect.

Procedure of Officer in charge of Jail if he doubt the legality of any warrant sent to him for execution.

V. If any Officer in charge of a Jail shall entertain any doubt as to the legality of any warrant sent to him for execution under this Act, or as to the competency of the person or persons whose official seal and signature may be affixed thereto to pass the sentence and issue such warrant, such Officer shall refer the matter to the Government to which he is subject, by whose order on the case such Officer and all other public Officers shall be guided as to the future disposal of the Prisoner. Pending any such reference the Prisoner shall be detained in such manner and with such restrictions or mitigations as may be specified in the warrant.

Provisions of existing Acts &c. relating to the treatment and security of Prisoners generally, to apply to Prisoners confined under this Act.

VI. The provisions of the existing Acts and Regulations, and all other rules in force for the treatment and security of Prisoners confined in the said Jails, shall apply and be of equal force and effect in the case of prisoners confined therein under this Act as in the case of other Prisoners confined therein.

M. Wylie,
Depy. Secy. to the Govt. of India,
Home Department.

The following Act of the Governor-General of India in Council received the assent of His Excellency the Governor-General on the 23rd February 1863, and is hereby promulgated for general information :—

Act No. IX of 1863.

An Act to amend the Code of Civil Procedure.

Preamble.

Whereas the Code of Civil Procedure requires that appeals from decisions or orders to the Sudder Court shall ordinarily be heard and determined by two or more Judges of the said Court; and whereas in the Territories, not subject to the General Regulations, the highest Civil Courts of appeal, which are declared by Section 386 of Act VIII of 1859, to be included in the expression "Sudder Court" in any part of the said Territories to which the said Code may be extended, generally consist of only a single Judge, and it is expedient to make provision for the powers to be exercised by such single Judge in hearing appeals from decisions and orders, or in proceedings relating to any other matter which may be brought before him; It is enacted as follows :—

In certain places the Highest Civil Court of Appeal to have powers of Sudder Court.

I. When in any part of the British Territories in India to which the Code of Civil Procedure has been or shall be extended under the provisions of Section 385 of the said Code, the highest Civil Court of appeal consists of a single Judge, such Judge shall have all the powers vested by such Code in two or more Judges of the Sudder Court.

No order or proceeding of such Court to be void because passed or held by a single judge.

II. No order passed by or proceeding held before the single Judge of any such highest Civil Court of appeal, subsequent to the extension of the Code of Civil Procedure to such part of the British Territories in India, shall be deemed invalid or be liable to be questioned on the ground that such order or proceeding was passed by or held before a single Judge.

M. Wylie,
Depy. Secy. to the Govt. of India,
Home Department.

The following Act of the Governor-General of India in Council received the assent of His Excellency the Governor-General on the 23rd February 1863, and is hereby promulgated for general information :—

Act No. X of 1863.

An Act to improve the Administration of Justice in the District of Darjeeling.

Preamble.

Whereas it is expedient to improve the Administration of Justice in the District of Darjeeling; It is enacted as follows :—

No appeal from decisions in suits of the nature cognizable in Small Cause Courts under Act XLII of 1860.

I. Every decision or order passed by the Superintendent of the District of Darjeeling in suits of the nature cognizable in Courts of Small Causes under Act XLII of 1860 *(for the establishment of Courts of Small Causes beyond the local limits of the jurisdiction of the Supreme Courts of Judicature established by Royal Charter)* or by the Judge of any Court constituted in the said District under the said Act shall be final, and no appeal shall lie from such decision or order. Provided that it shall be competent to the Superintendent, or Judge of any such Court as aforesaid, if he shall think fit, to grant a new trial, if applied for within the period of thirty days from the date of the decision; but no new trial shall be granted unless the party applying for the same shall, with his application, deposit the amount for which judgment shall have been given against him, including the costs (if any) of the opposite party.

Proviso.

In case of doubt as to question of Law &c., statement of case may be submitted for decision of High Court.

II. If in the trial of any suit any question of Law or usage having the force of Law, or the construction of a document affecting the merits of the decision shall arise on which the Superintendent or Judge of any Court constituted as aforesaid shall entertain reasonable doubt, the Superintendent or Judge as aforesaid may, either of his own motion, or on the application of any of the parties to the suit, draw up a statement of the case and submit it with his own opinion for the decision of the High Court.

And decree may be passed contingent thereon; but pending receipt, execution not to issue.

III. The Superintendent or Judge as aforesaid may proceed in the case notwithstanding a reference to the High Court, and may pass a decree contingent upon the opinion of the High Court on the point referred; but no execution shall be issued in any case in which a reference shall be made to

the High Court until the receipt of the order of that Court.

IV. Cases referred for the opinion of the High Court shall be dealt with by two or more Judges of that Court.

Full bench of the High Court to decide cases referred under this Act.

V. The High Court shall fix an early day for the hearing of the case, and shall notify the same by a proclamation to be fixed up in the Court House of that Court.

High Court to fix an early day for the hearing of the case.

Proclamation thereof.

VI. The parties to the case may appear and be heard in the High Court in person or by pleader.

Parties may appear and be heard in person or by pleader.

VII. The High Court, when it has heard and considered the case, shall transmit a copy of its judgment, under the seal of the Court and the signature of the Register, to the Superintendent or Judge as aforesaid, and the Superintendent or Judge as aforesaid shall, on the receipt thereof, proceed to dispose of the case conformably to the decision of the High Court.

Decision of High Court how to be transmitted.

VIII. Costs, if any, consequent on the reference of a case for the opinion of the High Court shall be costs in the suit.

Costs of reference to High Court.

IX. In all suits other than those mentioned in Section I of this Act, in which the amount or value of the suit shall not exceed Rupees 5,000, an appeal from the decision of the Superintendent, or of any other Court which is or hereafter may be established in the said District of Darjeeling shall lie to the Judge of Dinagepore, subject to the rules contained in the Code of Civil Procedure regarding regular appeals.

In suits other than those referred to in Section I, and of an amount or value not exceeding 5,000 Rs. a regular appeal to lie.

X. A special appeal shall lie to the High Court of Judicature at Fort William from all decisions passed in regular appeal by such Judge, on the ground of the decision being contrary to some Law or usage having the force of Law, or of a substantial error or defect in Law in the Procedure or investigation of the case, which may have produced error or defect in the decision of the case upon the merits, and upon no other ground, and such special appeal shall be subject to the rules contained in the Code of Civil Procedure regarding special appeals.

Special appeal to High Court in certain cases.

XI. In all suits heard and determined by the Superintendent, or by any other Court which is or hereafter may be established in the said District of Darjeeling in which the amount or value of the suit shall exceed Rupees 5,000, an appeal shall lie to the said High Court, subject to the rules contained in the Code of Civil Procedure regarding regular appeals.

In suits above 5,000 Rupees regular appeal to lie to High Court.

XII. When a commitment in a case triable under the Code of Criminal Procedure by a Court of Sessions is made by the said Superintendent or by any other officer in such District competent to make commitments to the Court of Sessions, such commitment shall be made to the Sessions Judge of Dinagepore, and shall be heard and determined by him.

Provision for cases triable by Court of Sessions under Code of Criminal Procedure.

XIII. Appeals from sentences and orders passed by the said Superintendent or by any Officer subordinate to him from which an appeal is allowed under the Code of Criminal Procedure shall lie to the Sessions Judge of Dinagepore, and shall be heard and determined by him.

Appeals from sentences, &c. of Superintendent and his Subordinates.

XIV. The High Court of Judicature at Fort William in Bengal shall exercise the same jurisdiction, appellate or otherwise in respect of any sentence or order passed by such Sessions Judge under this Act, which the said High Court may exercise in respect of any other sentence or order passed by such Judge.

Powers of High Court in respect of sentence, &c. of Sessions Judge under this Act.

M. WYLIE,
Depy. Secy. to the Govt. of India,
Home Department.

THE following Act of the Governor-General of India in Council received the assent of His Excellency the Governor-General on the 25th February 1863, and is hereby promulgated for general information :—

ACT No. XI OF 1863.

An Act to consolidate and amend the law relating to the employment and remuneration of Peons for the service and execution of Civil process.

WHEREAS it is expedient to consolidate and amend the law relating to the employment and remuneration of Peons for the service and execution of Civil process in the Courts of the North-Western Provinces of the Presidency of Fort William in Bengal and in other parts of the British Territories in India, to which this Act shall be extended as hereinafter provided; It is enacted as follows :—

Preamble.

1. From and after the passing of this Act, Section XIV of Regulation XXVI. 1814 of the Bengal Code *(for modifying some of the Rules at present in force regarding the admission and trial of special and summary appeals from decisions passed in regular suits; for limiting and altering some of the existing provisions respecting the pleadings and processes, and the mode of executing decrees and regular suits and appeals; and for explaining and making certain additions to the provisions of Regulation I.* 1814*)*, Section V of Regulation VII. 1832 of the said Code *(for modifying certain of the provisions of Regulation V.* 1831, *and for providing supplementary Rules to that enactment)*, and Act XIV of 1845 *(to provide for the appointment of Nazirs in the Moonsiff's Courts*, shall cease to have effect in the North-Western Provinces of the Presidency of Fort William in Bengal.

Laws repealed.

II. Subject to the approval of the Sudder Court the Judges of the several Zillah Courts in the said North-Western Provinces shall fix the number of Peons necessary to be employed in the said Zillah Courts and in the several Courts subordinate to them for the service

Number of Peons for each Court by whom to be fixed.

and execution of processes issued out of such Courts, respectively, and the Judges of the Courts of Small Causes in the said Provinces shall in like manner fix the number of Peons necessary to be employed in the said Small Cause Courts for the service and execution of processes issued out of such Courts. Subject to the like approval the said Judges may from time to time alter the number of Peons to be so employed.

Appointment and registration of Peons.

III. The appointment of Peons in the several Courts mentioned in the last preceding Section shall be made, subject to the approval of the Judge of the Court, by the Nazir of the Court in which the Peons are employed, or by the Clerk of the Court where there is such an Officer; and every such appointment shall be registered in the Court with the following particulars: the name of the Peon, his age, his place of abode, his father's name, and date of appointment.

No other persons to be employed as Peons without special leave of Court.

IV. No person who shall not be appointed and registered as a Peon in the manner hereinbefore provided shall be employed in the service or execution of the process of any Court without the special leave of such Court.

Peons to be furnished with belt and plate.

V. The Peons who are appointed and registered in the manner above prescribed, shall be furnished at the expense of the State with a uniform belt and plate, on which shall be inscribed the Court to which the Peon belongs and the number of the Peon in the Register.

Remuneration of Peons.

VI. The Peons appointed and registered under this Act shall either receive fixed salaries, or be remunerated by fees for the service of the processes served or executed by them, as the local Government shall direct. The amount of salary shall be fixed by the local Government.

Disposal of sums paid under Act for execution of process.

VII. When the Peons appointed under this Act are remunerated by a fixed salary, the money paid under this Act for the service or execution of processes shall be carried to the credit of Government, and shall be formed into a fund out of which the salaries of such Peons shall be paid. Any surplus that may accrue from such fund, after paying the salaries of the Peons, shall be at the disposal of the local Government, and may be applied by such Government, subject to the approval of the Governor-General in Council, to the improvement of the administration of Civil Justice in the North-Western Provinces.

Account of Moneys received into and paid out of Court.

VIII. A regular account of all moneys received into and paid out of of Court under this Act shall be kept, and extracts from this account shall be forwarded to the local Government at such times, and in such form as such Government shall direct.

Construction of process.

IX. Every process served or executed under this Act shall be held to be a process within the meaning of Section 188 of the Code of Civil Procedure and Section II of Act XXIII of 1861 (*to amend Act VIII of* 1859 *for simplifying the procedure of the Courts of Civil Judicature not established by Royal Charter.*)

Sudder Court to make rules for fixing cost for serving process, remuneration of peons, &c.

X. The Sudder Court shall make rules prescribing the cost of serving and executing processes issued by the said Court, and by the Courts subordinate to such Court, as well as by the Courts of Small Causes, established within the local limits of the jurisdiction of such Sudder Court, and for levying the same, and also rules for the remuneration of the Peons appointed and registered under this Act who are not paid by fixed salaries, and of all other persons who may be employed in the service or execution of processes by leave of a Court under the 4th Section of this Act, and also such other rules as the Sudder Court shall deem necessary, and shall not be inconsistent with the provisions of this Act, for carrying out the provisions of this Act. The rules made under this Section, after being confirmed by the local Government, shall have the force of law. Subject to the same confirmation the Sudder Court may from time to time vary the rules made under the authority of this Section. The rules made and confirmed under this Section, and a table of costs for serving and executing processes, shall be exposed to public view in every Court for which Peons are appointed and registered under this Act.

Powers of Governor-General and of Lieutenant-Governor, Punjaub, to extend Act.

XI. The Governor-General of India in Council shall have power by an order to be published in the Calcutta Gazette to extend the provisions of this Act to any part of the Territories under the immediate administration of the Governor-General in Council; and the Lieutenant-Governor of the Punjab shall have power by an order to be published in the Official Gazette to extend the provisions of this Act to any part of the Territory under his Government.

Interpretation of "Judge."

XII. The term "Judge" in this Act shall denote the Presiding Judicial Officer in every Court of Civil Judicature by whatever title he shall be designated. And in any place not subject to the General Regulations to which the provisions of this Act extend, or shall hereafter be extended as provided in the last preceding Section, the Judges of the Principal Courts of original Civil Jurisdiction in such place shall be the Judges to fix the number of Peons necessary to be employed in such Courts and in any Courts subordinate to such Courts as provided in Section II of this Act, and subject to the approval therein mentioned.

Interpretation of "Sudder Court" in places to which Act shall be extended.

XIII. When this Act shall be extended to any place under Section XI of this Act the term "Sudder Court" as used in this Act shall be taken to mean the Highest Civil Court of Appeal established in the place to which this Act shall be so extended.

M. Wylie,

Depy. Secy. to the Govt. of India,

Home Department.

THE following Act of the Governor-General of India in Council received the assent of His Excellency the Governor-General on the 25th February 1863, and is hereby promulgated for general information :—

ACT No. XII OF 1863.

An Act to bring the Pergunnahs of Mahoba and Jeitpore, in the District of Humeerpore, under the operation of the General Regulations.

Preamble.

WHEREAS the District of Humeerpore in Bundlekund is, with the exception of the Pergunnahs of Mahoba and Jeitpore, subject to the General Regulations, and whereas it is expedient that the said Pergunnahs should, for the sake of uniformity and public convenience, be administered on the same system as prevails in the rest of the District; It is enacted as follows :—

Laws and Regulations for internal administration of Humeerpore to have full force in Mahoba and Jeitpore &c.

I. The Laws and Regulations established for the internal administration of the District of Humeerpore shall have full force and effect in the Pergunnahs of Mahoba and Jeitpore, and the administration of Civil and Criminal Justice, and the superintendence of the settlement and realization of the public revenue, and of all matters relating to rent in the said Pergunnahs, are hereby vested in the Officers who are, or may hereafter be, appointed by the Lieutenant-Governor of the North-Western Provinces for the said District of Humeerpore.

Saving as to suits pending at the time of passing of this Act.

II. All suits and proceedings arising in the said Pergunnahs which, at the time of the passing of this Act, shall be pending in any Court, or before any Officer, shall be heard and determined in the same manner as if the said Pergunnahs had not been brought under the operation of the General Regulations.

Suits remanded by any Appellate Court.

III. Any suit which, before the passing of this Act, had been determined, and which has been or shall be remanded by any Appellate Court, shall be tried before the Court which, for the time being, would be competent to try such a suit if instituted after the passing of this Act.

Appeals pending in Jhansie Commissioner's Court, and execution of Decrees.

IV. All appeals or proceedings now pending in the Court of the Commissioner of Jhansie shall be determined by such Commissioner in the same manner as if this Act had not been passed; and all applications for execution of decrees or orders which, but for the passing of this Act, would have been made to any Court or Officer existing at the time of the passing of this Act shall be made to the Court or Officer that would have had jurisdiction in respect of the matter in dispute, had the suit or proceeding been instituted after the passing of this Act.

Appeals from Decrees or orders passed before passing of Act.

V. All appeals from decrees or orders passed before the passing of this Act shall be received, heard and determined by the Court or Officer who would have had jurisdiction over such appeals, had the decrees or orders to which they relate been passed after the passing of this Act.

Commencement of Act.

VI. This Act shall take effect from such date as the Lieutenant-Governor of the North-Western Provinces shall fix by an order to be published in the Official Gazette.

M. WYLIE,

Depy. Secy. to the Govt. of India,
Home Department.

THE following Act of the Governor-General of India in Council received the assent of His Excellency the Governor-General on the 25th February 1863, and is hereby promulgated for general information :—

ACT No. XIII OF 1863.

An Act to empower Judges of the High Court and other Authorities at Bombay to direct Convicts to be imprisoned either in the House of Correction or the Common Jail.

Preamble.

WHEREAS great inconvenience is occasioned in the administration of Criminal Justice by reason of the House of Correction in the Town of Bombay not having sufficient accommodation to contain all the prisoners from time to time sentenced to be there confined for divers offences, and it is desirable that the Judges of Her Majesty's High Court at Bombay, and the Justices of the Peace and Magistrates of Police in the Town and Island of Bombay should be empowered to send prisoners to the Common Jail in the Town of Bombay as well as to the House of Correction; It is enacted as follows :—

Persons sentenced by High Court to rigorous imprisonment, &c., may be imprisoned in House of Correction or Common Jail in Bombay.

I. Whenever, from and after the passing of this Act, any person shall be sentenced by Her Majesty's High Court of Judicature at Bombay to rigorous imprisonment; or to imprisonment with hard labor or solitary confinement, it shall be lawful for the Judges or Judge of the said Court of Judicature to direct such person to be imprisoned either in the House of Correction, whether such House of Correction be under the control of the Sheriff or not, or in the Common Jail in Bombay, as to them or him shall seem fit.

Where also persons sentenced by said Court to transportation, &c., may be kept.

II. Whenever, from and after the passing of this Act, any person shall be sentenced by the High Court at Bombay to transportation, or penal servitude, such person may at the discretion of the Judges or Judge of the said Court, be kept in the House of Correction, whether such House of Correction be under the control of the Sheriff or not, or in the Common Jail in Bombay, as the place of intermediate custody.

Where also persons sentenced by Justice of the Peace or Police Magistrate to rigorous imprisonment, &c., may be committed.

III. Whenever, from and after the passing of this Act, any person shall be sentenced by a Justice of the Peace or Magistrate of Police in the Town and Island of Bombay to rigorous imprisonment, or imprisonment with hard labor, the person so sentenced may be committed by such Justice of the Peace or Police Magistrate

either to the House of Correction, whether such House of Correction be under the control of the Sheriff or not, or to the Common Jail in Bombay, as to such Justice of the Peace or Magistrate shall seem fit.

M. WYLIE,

Depy. Secy. to the Govt. of India,

Home Department.

THE following Bill, as amended by a Select Committee of the Council of the Governor-General for the purpose of making Laws and Regulations, is published for general information :—

A Bill to provide for the Registration of Assurances.

Preamble.

WHEREAS it is expedient to consolidate and amend the laws relating to the Registration of Assurances; It is enacted as follows :—

REPEAL OF REGULATIONS AND ACTS.

Laws repealed.

I. Regulation XXXVI. 1793 *(for establishing a Registry for Wills and Deeds, for the transfer or mortgage of real property)*, Regulation XXVIII. 1795 *(for extending to the Province of Benares, Regulation XXXVI. 1793, entitled "A Regulation for establishing a Registry for Wills and Deeds for the transfer or mortgage of real property")*, Regulation XVII. 1803 *(for establishing a Registry for Wills and Deeds for the transfer or mortgage of real property in the Provinces ceded by the Nawaub Vizier to the Honorable the English East India Company)*, Section XVII Regulation VIII. 1805 *(for extending to the conquered Provinces situated within the Doab and on the right Bank of the River Jumna, and to the territory ceded to the Honorable the English East India Company in Bundlecund by the Peishwa, such of the Laws and Regulations established for the internal Government of the Provinces ceded by the Nawaub Vizier to the Honorable the English East India Company, as have not been already extended to those territories, and for revising and amending certain parts of the said Laws and Regulations)*, so far as it relates to Regulation XVII. 1803, Section XXXII Regulation XII. 1805 *(for the settlement and collection of the Public Revenue in the Zillah of Cuttack, including the Pergunnahs of Puttespore, Kummardichour, and Bograe, at present included in the Zillah of Midnapore)*, Regulation XX 1812 *(for modifying some of the provisions contained in the existing Regulations respecting the Registry of Deeds and for establishing a Register of engagements for the delivery of Indigo)*, and Regulation IV. 1824 *(to provide more effectually for the Office of Register of Deeds)*, of the Bengal Code; Regulation XVII. 1802 *(for establishing a Registry for Wills and Deeds for the transfer or mortgage of real property)*, and Regulation XI. 1831 *(to provide more effectually for the Office of Register of Deeds)*, of the Madras Code; and Regulation IX. 1827, *(for establishing a Register of Title-Deeds and a General Register of Deeds, Obligations, and other Writings, in each Zillah subordinate to the Presidency of Bombay)*, of the Bombay Code, and Regulation XIII. 1828 *(for enabling Assistant Judges when expedient to keep the Registers prescribed by Regulation II of 1827 when stationed in the Districts)* of the Bombay Code, and Act XXX of 1838, Act I of 1843, *(for amending the law concerning the Registration of written conveyances and other instruments affecting titles and other interests to land)*, Act XIX of 1843 *(for amending the law respecting the Registration of certain Deeds)*, Act IV of 1845 *(to amend the law regarding the Registration of Deeds)*, Act XVIII of 1847 *(for curing the invalidity in the Registration of Deeds arising from the fact of having been registered by persons not duly appointed or on other than Court days)*, and Act XI of 1851 *(for the custody of Registers of Deeds in the Presidency of Bengal)*, shall cease to have effect in any part of the British Territories in India from and after the date on which this Act shall come into operation, except in so far as such Regulations or Acts rescind other Regulations or Acts, and except as regards Instruments registered before the date on which this Act shall come into operation, under any of the said Regulations or Acts then in force; and from and after such date, in the territories not subject to the General Regulations, all Rules and Regulations relating to the Registration of Instruments in force in such territories at such date shall cease to have effect, except as regards Instruments registered in such territories before such date under any of such Rules or Regulations.

DEFINITIONS.

Interpretation.

"Local Government."

"District Registrar."

"Year" and "month."

Number.

Gender.

II. In the construction of this Act, unless the contrary appear from the context, the words "Local Government" shall denote the person or persons authorized by law to administer the Executive Government in any part of British India; the words "District Registrar" shall include the Registrar of every Presidency Town; the words "year" and "month" shall denote a year or month respectively by the British Calendar; and words importing the singular number shall include the plural number, and words importing the plural number shall include the singular number; words importing the masculine gender shall include females.

Governor-General of India may vest in the Head Executive Officer of any Territory under his immediate administration the powers conferred by this Act.

III. It shall be lawful for the Governor-General of India in Council, by an order to be published in the Calcutta Gazette, to declare that in any territory under the immediate administration of the Governor-General in Council, the Head Executive Officer of such territory shall exercise the powers vested by this Act in the local Government, and thereupon such Officer shall, for the purposes of this Act, be the local Government of such territories as defined in this Act.

REGISTRATION ESTABLISHMENT.

General Register Office.

IV. The local Government of every Presidency and place shall establish, within the territories subject to such Government at such place as to it shall seem fit, an Office to be called the General Register Office, and may appoint an Officer to

the charge of such Office, who shall be called the Registrar-General of the Presidency or place for which he is appointed. Provided that the local Government may declare and constitute the Board of Revenue, where there is a Board of Revenue, or any other Public Office to be such General Register Office, and all the provisions of this Act which apply to such Registrar-General shall apply to such Board or other Office so declared and constituted.

Formation of Districts and Divisions.

V. For the purposes of this Act the local Government shall form Districts and divisions of Districts, and shall prescribe, and from time to time may alter the limits of the Districts or divisions of Districts so formed.

Establishment of Register Offices.

VI. The local Government shall establish, in every District formed as aforesaid, an Office to be styled the District Register Office, and also such number of Divisional Register Offices as, in the judgment of the local Government, may be necessary for the purposes of this Act. A Register Office shall also be established in the several Presidency Towns of Calcutta, Madras, and Bombay, for the registration of Instruments under this Act.

What Public Officers to be District and Deputy Registrars.

VII. The Judge of the principal Court of Original Civil jurisdiction shall be the District Registrar of the District in which such Court may have jurisdiction. Provided that in the Presidency of Bombay the local Government may appoint the Assistant Judge in any District to be District Registrar of such District. Such of the Judges of the subordinate Courts, and of the Judges of the Courts of Small Causes, as the local Government may select, shall be Deputy Registrars of such Districts and Divisions formed as aforesaid. The local Government may appoint such other Public Officers as it may think proper to be Deputy Registrars of such Divisions. In each of the Presidency Towns aforesaid the local Government shall appoint an Officer to be called the Registrar of such Town.

Proviso for Bombay.

Persons not Public Officers may also be appointed.

It shall also be lawful for the local Government to appoint any other persons, not being Public Officers, to be Deputy Registrars of such Divisions.

Appointment of Deputy Registrars by Local Government.

VIII. The local Government shall appoint one or more Deputy Registrars to every one or more of the Divisions formed as aforesaid as to such local Government shall seem fit.

Provision for cases of absence or vacancies.

IX. In case of the absence of any Deputy Registrar, or of a vacancy occurring in the Office of any Deputy Registrar, it shall be lawful for the District Registrar to appoint any person whom he may think proper to take temporary charge of the Office of such Deputy Registrar, and to register Instruments in the same manner as if such person had been appointed to the Office by the local Government. In case of the absence of any District Registrar, or of a vacancy occurring in the office of any District Registrar, the Officer whose duty it is to carry on the judicial functions of the Officer who by this Act is District Registrar shall, during such absence or vacancy, be the District Registrar.

Salaries and Establishments.

X. It shall be lawful for the local Government, with the sanction of the Governor-General of India in Council, to assign such salaries as from time to time such local Government may deem proper, to the Registrar-General and Deputy Registrars appointed under this Act, or to provide for the remuneration by fees of such Deputy Registrars as shall not be Public Officers. It shall also be lawful for the local Government, with the like sanction, to allow such Establishments for the General Register Office and for the Offices of the several District and Deputy Registrars as may be necessary for the purposes of this Act.

General Rules.

Control of proceedings of Deputy Registrars.

XI. Every Deputy Registrar shall perform the duties of his Office under the superintendence and control of the District Registrar in whose District the Office of such Deputy Registrar shall be situate, and the District Registrars shall have authority to issue (whether on complaint or otherwise) any orders they may consider necessary in respect of any proceeding or omission of any Deputy Registrar subordinate to them. Provided that no order

Proviso as to Registration admitted or refused.

of a Deputy Registrar admitting or refusing to admit to registration any Instrument shall be reversed or altered, except on appeal to be presented within thirty days from the date of such order.

Instruments in language not understood by Deputy Registrar.

XII. If any Instrument tendered for registration be in a language which the Deputy Registrar does not understand, such Instrument shall be referred by him to the District Registrar.

General control by Registrar-General.

XIII. The Registrar General shall exercise a general superintendence over all the Register Offices within his jurisdiction, and such Registrar-General shall have the power, for any sufficient reason, on the application of any party to any Instrument the registration of which has been refused by a District Registrar, either originally or on appeal from a Deputy Registrar, to order the same to be registered.

Power of Registrar-General to frame Rules.

XIV. The Registrar-General shall, for the guidance of the District and Deputy Registrars, have power from time to time to frame rules not inconsistent with the terms of this Act. The Rules so framed shall be submitted to the local Government, and after they shall have been approved by the local Government, they shall be published in the Official Gazette, and shall have the same force as if they were inserted in this Act.

Registration to be made at a Public Office.

XV. The registration of all Instruments under this Act shall be made only at the Public Office or Court of the Officer whose duty it shall be to register the same. Provided that any District Registrar or any Deputy

Proviso.

Registrar with the sanction of the District Registrar may, on special cause being shown, attend at the place of residence of any party to any Instrument, or of any person desiring to deposit a Will, Codicil, or authority to adopt a son.

Seal of Office.

XVI. The General Registrar and the several District and Deputy Registrars shall use a Seal bearing the following inscription in English, and in such other language as the local Government shall direct: "The Seal of the Registrar-General" *(or of the Registrar or Deputy Registrar of)*.

Registry Books.

XVII. The local Government shall provide for the Office of every District and Deputy Registrar such books as may be necessary for the purposes of this Act. The books so provided shall contain such printed forms as shall from time to time be prescribed by the Registrar-General with the sanction of the local Government for the entries to be made therein, and for the indices to such books, and the pages of such books shall be consecutively numbered in print, and the number of pages in each book shall be certified on the title page by the Officer by whom such books shall be supplied.

Fire-proof boxes.

The local Government shall further supply the Office of every District Registrar with a fire-proof box to be used as hereinafter provided.

INSTRUMENTS TO BE REGISTERED.

Deeds of gift of immoveable property not to be recognized unless registered in proper time.

XVIII. No Instrument being a deed of gift of any immoveable property shall (except as provided in Section LXV of this Act) be received in evidence in any Court of Justice, or shall be acted on by any Public Officer, if such Instrument shall have been executed after the date on which this Act shall come into operation, unless the same be registered within the time prescribed by this Act.

Certain Instruments, if unregistered, not to be received in evidence.

XIX. No Instrument other than a deed of gift as provided in the last preceding Section, which purports or operates to create, declare, transfer, or extinguish any right, title, or interest of the value of one hundred Rupees or upwards in any immoveable property (except as provided in Section LXV of this Act, and not being a lease for a period not exceeding one year), and no Instrument which acknowledges the receipt or payment of any consideration on account of the creation, declaration, transfer, or extinction of any right, title, or interest of such value as aforesaid in any immoveable property (not being such a lease as aforesaid), shall be received in evidence in any Civil proceeding in any Court of Justice, or shall be acted on by any Public Officer; unless the same be registered within the time prescribed by this Act, if such Instrument shall have been executed after the date on which this Act shall come into operation.

Value of right, title, or interest affected by Instruments required to be registered, to be determined by Stamp affixed thereto.

XX. For the purposes of this Act, the value of the right, title, or interest in any immoveable property created, declared, transferred, or extinguished by any Instrument required to be registered under the last preceding Section, shall be taken to be the value indicated by the stamp affixed thereto or impressed thereon under Act X of 1862, *(to consolidate and amend the law relating to Stamp Duties)*, or under any other Act for the time being in force for regulating the Stamp Duties.

Instruments which may be registered under this Act.

XXI. From and after the date on which this Act shall come into operation, any of the following Instruments executed after the said date may be registered under this Act:—

1. Any Instrument which purports or operates to create, declare, transfer, or extinguish any right, title, or interest of value (indicated as provided in the last preceding Section) less than one hundred Rupees in any immoveable property.

2. Any Instrument which acknowledges the receipt or payment of any consideration on account of the creation, declaration, transfer, or extinction of any right, title, or interest, of such value as aforesaid, in any such immoveable property.

3. Any lease for a period not exceeding one year.

Further instruments which may be registered.

XXII. After the date on which this Act shall come into operation any of the following Instruments, executed after the said date, may be registered under this Act.

1. Any Instrument which purports or operates to create, declare, transfer, or extinguish any right, title, or interest in any moveable property.

2. Any Will, Codicil, or Authority to adopt a son.

3. Any private award of arbitration.

4. Any Deed, Bond, Contract or other Obligation.

TIME OF REGISTRATION.

When certain Instruments must be presented for registration.

XXIII. No Instrument of the descriptions mentioned in Section XVIII or Section XIX of this Act, which shall have been executed after the date on which this Act shall come into operation, shall be accepted for registration unless presented for that purpose to the proper Officer within three months from the date of the execution thereof.

Provision as to certain other instruments.

XXIV. No Instrument of the descriptions mentioned in Section XXI or Section XXII of this Act, (other than a Will, Codicil to a Will, or Authority to adopt a son) which shall have been executed before the date on which this Act shall come into operation, shall be accepted for registration unless such Instrument be presented for registration within twelve months from such date.

Provision as to certain Instruments executed after the Act comes into operation.

XXV. No Instrument of any of the descriptions mentioned in Section XXI or Section XXII of this Act (other than a Will, Codicil to a Will, or Authority to adopt a son) which shall be executed after the date when this Act shall come into operation, shall be accepted for registration unless presented within six weeks from the date of the execution thereof.

Time for Registration of Wills, &c.

XXVI. Any Will, Codicil to a Will, or Authority to adopt a son may at any time be registered in the manner hereinafter provided, by the person making such Will or Codicil, or giving such authority.

PLACE OF REGISTRATION.

Registration where to be made.

XXVII. Every Instrument which purports or operates to create, declare, transfer, or extinguish any right, title, or interest in any immoveable property, and any Instrument acknow-

ledging the receipt or payment of any consideration on account of the creation, declaration, transfer, or extinction of any right, title, or interest in any immoveable property, or any lease, shall be presented for registration in the Office of the Deputy Registrar within whose Division the property is situate. Every Instrument mentioned in Section XXII of this Act (not being a Will, Codicil to a Will, or Authority to adopt a son) shall be presented for registration in the Office of the Deputy Registrar within whose jurisdiction such Instrument is executed, or at any Registry Office, under the same local Government, at which all the parties to any such Instrument shall desire the same to be registered.

Registration of property situate in more than one Division of a District.

XXVIII. Every Instrument affecting immoveable property, the whole of which is not situate in one Division of a District, may be presented for registration to any Deputy Registrar in such District, within whose Division any part of such property is situate. It shall be the duty of such Deputy Registrar, after registering the Instrument forthwith, to make and forward a copy thereof endorsed in the manner hereinafter provided to the District Registrar, who shall register the same and forward an abstract of such Instrument, shewing the parties thereto and the date and substance thereof, to every Deputy Registrar in his District in whose Division any part of such property is situate, other than the Deputy Registrar in whose Office the same shall have been originally registered, and every Deputy Registrar who shall receive such abstract shall forthwith register the same.

Registration of Instruments affecting property situate in several Districts.

XXIX. Every Instrument affecting immoveable property, situate in more Districts than one, may be presented for registration to the District Registrar of any such District. It shall be the duty of the District Registrar in whose Office such Instrument is originally registered to cause to be made, and to forward to the District Registrar of every other District in which any other part of such property is situate, a copy of such Instrument, endorsed with an attestation, stating the date on which it was registered, and its number in his Register Book; and the District Registrar of any District receiving such copy so forwarded and endorsed, shall register the same as if it had been presented to him in the first instance, and shall forward a copy endorsed with such attestation as aforesaid to the Deputy Registrar of each Division of his District in which any part of such property may be situate, and such Deputy Registrar shall register the same in the manner prescribed for Instuments presented to him in the first instance.

Instruments for registration, by whom to be presented.

XXX. Every Instrument to be registered under this Act, not being a Will, Codicil to a Will, or an Authority to adopt a son, shall be presented at the Office of the Deputy or District Registrar in which such Instrument is to be registered, by all the parties thereto, or by the heirs, representatives, or assigns of such parties, or by the authorized Agents of such parties, or of their heirs, representatives, or assigns under a power of Attorney special or general. But no such power of Attorney shall be recognized for the purposes of this Act unless it shall have been delivered personally by the person executing the same to such Deputy or District Registrar. Provided that, where a person who shall have executed a power of Attorney is unable to attend personally, and such power is tendered to a District Registrar, such Registrar shall determine whether he will receive the same. If such power be tendered to a Deputy Registrar such Deputy Registrar shall only receive the same with the sanction of the District Registrar.

Mode of Registration.

Enquiry concerning identity of parties appearing before the Deputy Registrar who are not personally known to him.

XXXI. On the parties to any Instrument, their heirs, administrators, or assigns, or the authorized Agents of such parties, as provided by the last preceding Section appearing before the Deputy or District Registrar for the purpose of obtaining the registration of such Instrument, he shall proceed to enquire whether such Instrument was executed or not by all the parties thereto. If all the parties to the Instrument appear personally before the Deputy or District Registrar, and are personally known to him, or in case they are not personally known to him, if they satisfy him that they are the parties they represent themselves to be, and if they all admit the execution of the Instrument, or in the case of any party appearing by authorized Agent, if such Agent shall admit the execution of the Instrument, the Deputy or District Registrar shall register the same in the manner hereinafter provided. It shall be the duty of the District or Deputy Registrar to satisfy himself of the right of any person to appear as the heir, administrator, or assign of any party whom he shall claim to represent, or if any party shall appear by Agent, of the authority of such Agent. The Deputy or District Registrar shall enter in the Register Book the names in full of all the persons whose evidence he may take to prove such identity, right, or authority.

Powers of registration Officers to summon parties whose evidence is required.

XXXII. If any party to an Instrument shall require assistance to procure the attendance of any person whose testimony is necessary for the registration of such Instrument by a Deputy Registrar, such Deputy Registrar shall have power, if he be satisfied that such assistance is necessary, and if such person shall be within the Division of such Deputy Registrar, to issue a summons requiring such person to attend at the Office of such Deputy Registrar at a time to be named in such summons. If the person whose attendence is required is not in such Division, the party to the Instrument shall apply to the District Registrar, who, if he be satisfied that his assistance is required, shall issue a like summons for attendance at the Office of such Deputy Registrar. If the Instrument be presented for registration to a District Registrar he shall have the like powers of summoning persons to appear at his own Office, which are herein provided in respect of persons whose attendance is required at the Office of a Deputy Registrar. The provisions of the Regulations and Acts for procuring the attendance of witnesses,

for the examination, remuneration, and punishment of witnesses in suits before Civil Courts shall be of equal force and effect in respect of persons summoned to appear by a summons from a Deputy or a District Registrar under this Section.

Erasures or interlineations.

XXXIII. No Instrument shall be accepted for registration, if any interlineation, erasure, or alteration shall appear on such Instrument, unless the parties appearing to register the same shall attest with their signatures such interlineation, erasure, or alteration; and it shall be the duty of the District or Deputy Registrar, at the time of registering such Instrument, to make a note in the Register, of such interlineation, erasure, or alteration.

Date and time of presentation for registration.

XXXIV. The date and time on which every Instrument shall be presented for registration shall be endorsed on such Instrument at the time of presentation, and such endorsement shall be attested by the Deputy or District Registrar in whose Office such Instrument is presented for registration, and if such Instrument shall be admitted to registration, it shall be held to have been registered from the date and time so endorsed.

Entry in Register Book.

XXXV. Every Instrument admitted to registration shall be entered in its appropriate book according to the order of its presentation, and shall be numbered accordingly. The entry made in the Register shall shew the year, month, day, and hour of presentment, the character of the Instrument presented for registration, the names in full of the parties to the Instrument, and when the Instrument shall have been presented by the Agent, or by the heir, representative, or assign of any party, the name of such Agent, heir, representative or assign, and the names in full of every person whose evidence may have been taken under Section XXXII of this Act, after which the Instrument shall be entered in full. The entry made as is above prescribed, shall be signed by every party to the Instrument, or by his Agent, heir, representative, or assign, and by the District or Deputy Registrar.

Procedure after entry in Register.

XXXVI. The Instrument shall then be returned to the party who may have presented the same for registration, with an endorsement inscribed thereon, shewing the date of registration, the number of the book in which such registry shall have been made, and the page of the book on which such entry shall appear; and if the Instrument be a Bond or other written obligation for the payment of money, and the party liable to make such payment shall, in the presence of the District or Deputy Registrar, have declared his assent to the same being enforced without a regular suit, such assent shall in like manner be endorsed on such Instrument. The endorsement on the Instrument shall be certified by the seal and signature of the District or Deputy Registrar, and the Instrument thus endorsed shall be *primâ facie* proof, on the production thereof in any Court of Justice, that such Instrument has been duly registered in the manner provided in this Act. Provided that it shall be competent to the Court to require evidence of such registration, if it shall see sufficient cause for doing so.

Abstract of every Instrument registered in subordinate Office to be sent to General Register Office.

XXXVII. An abstract of every original Instrument affecting immoveable property registered in the Office of any Deputy Registrar shall, within three days, be forwarded, with an endorsement attesting the date on which it was registered and its number on the Register Book of such Registrar, to the District Registrar, and an abstract of every such Instrument registered in the Office of any District Registrar, whether originally or by transmission from the Office of a Deputy Registrar, shall from time to time, not less frequently than weekly, be forwarded, with an endorsement attesting the date on which it was registered and its number in the Register Book of such District Registrar, to the General Register Office.

Payment of fee per abstract.

XXXVIII. For every abstract required to be forwarded under the last preceding Section, and for every abstract or copy required under Sections XXVIII and XXIX of this Act, the same fee shall be paid as for the registration of the original Instrument.

Entry in General Register Office of Abstract of entry made by District Registrar,

XXXIX. On the receipt, in the General Register Office, of any abstract of any entry made in any Register by any District Registrar, the same shall be entered in the Book No. 1, 2, 3, or 4, described in Section LVI of this Act, as the case may be.

DECREES AFFECTING REGISTERED INSTRUMENTS.

Procedure in case of registered Instruments being declared to be invalid or forged.

XL. When any Civil Court, in the exercise of its original or appellate jurisdiction shall, by a decree or order, declare any Instrument before it relating to immoveable property, which shall have been registered under this Act, to be invalid or a forgery, or when such Court, in the exercise of such jurisdiction, shall pass any decree or order affecting any Instrument before it relating to immoveable property which shall have been registered under this Act, which decree, or order shall create, declare, transfer, limit, or extinguish any right, title or interest under any such Instrument of any person in such immoveable property, such Court shall cause a memorandum of such decree or order to be sent to the District or Deputy Registrar in whose District or Division such Instrument shall have been originally registered.

How notice or certificate to be dealt with.

XLI. Whenever any memorandum is received under the last preceding Section by any District or Deputy Registrar, a transcript thereof shall immediately be made in the margin of that part of the book in which there is any register of the Instrument relating to the immoveable property affected by such memorandum, and such District or Deputy Registrar shall forthwith transmit a copy of such memorandum to the Registrar General, and to every District and Deputy Registrar in whose Office such Instrument or any abstract of such Instrument is registered.

ENFORCEMENT OF REGISTERED BONDS AND OTHER INSTRUMENTS.

Bonds, &c., for sums below one hundred Rupees may be enforced under this Act without regular suit. Also for sums above that limit in certain cases.

XLII. A Bond or other written obligation for the payment of money not exceeding the sum of one hundred Rupees, which shall have been registered under the provisions of this Act, may be enforced without a regular suit as hereinafter provided. A Bond or other written obligation for the payment of money exceeding the sum of one hundred Rupees which shall have been registered under the provisions of this Act may in like manner be enforced. Provided the parties to such Bond or other obligation as aforesaid shall, at the time of the registration thereof, have signified their assent to such Bond or other obligation as aforesaid being so enforced, and provided that such assent shall have been recorded at the foot of the memorandum of registration, required by Section XXXVI to be endorsed on Instruments registered under this Act.

Proviso.

But application for enforcement must be made within a period fixed.

XLIII. No Bond or other obligation as aforesaid shall be enforced under the provisions of the last preceding Section unless application for enforcement of the same be made within twelve months from the date on which the whole amount secured thereby became payable, and was not paid.

Court to which application may be made for enforcing claims under last Section.

XLIV. Any person who is desirous of enforcing a claim on a Bond or other obligation as aforesaid under Section XLII of this Act, may apply to any Court which would have had jurisdiction to try a regular suit on such Bond or other obligation as aforesaid, for enforcement of the same. Such application shall be treated as an application for the execution of a decree, and the provisions contained in Chapter IV of the Code of Civil Procedure (except Section 206) relating to execution of decrees shall, subject to the provisions hereinafter contained, be considered applicable thereto so far as the same can be applied.

Procedure of Court on receipt of application.

XLV. The Court to which such application is made shall cause a notice to be served on the person against whom the enforcement is claimed, calling on him to shew cause, within a time to be fixed by the Court, why execution for the amount stated in the application should not be issued against him.

Procedure in case of alleged debtor being about to quit jurisdiction, or to move property therefrom.

XLVI. If the person making the application shall satisfy the Court, that the party against whom the claim is made is about to leave the juridiction of the Court, or to dispose of or remove his property from the jurisdiction of the Court, in order to evade payment of the money claimed to be due by him, the Court may issue process of attachment against the person or property of such party. Whenever such attachment shall issue, the provisions contained in the Code of Civil Procedure relating to arrest and attachment before judgment shall be applicable.

And in case of his appearing, and shewing cause against issue of execution.

XLVII. If the person against whom execution is claimed shall attend within the time specified in the notice, and shew cause why execution should not be issued against him, the Court shall enquire into his objections, and shall pass such order as it shall think proper. Provided that no person shall in any such case be allowed to plead in bar of such execution, any plea other than that he was no party to the registration of the Bond or other obligation as aforesaid, or that such Bond or other obligation as aforesaid has been paid and satisfied, or that the amount claimed exceeds that which is remaining due on the Bond or other obligation as aforesaid, whether for principal or interest; or a denial of the representative character in respect of which execution is claimed against him.

Court may at discretion direct institution of suit, instead of enforcing Bond, &c., under this Act.

XLVIII. The Court to which application is made for enforcement of a Bond or other obligation as aforesaid under the foregoing Sections may, for any sufficient reason, instead of granting such application, order that a suit shall be brought on such Bond or other obligation as aforesaid.

Procedure in case of Court refusing to enforce Bond, &c., under Act.

XLIX. No suit between the same parties shall be entertained on any Bond or other obligation as aforesaid, the enforcement of which shall have been refused by the Court, on an application for enforcement made under Section XLIV of this Act, otherwise than as barred by lapse of time, unless the Court shall have directed a suit to be brought thereon; but all orders passed by the Court for issuing execution or refusing to issue execution on any Bond or other obligation as aforesaid, shall be open to appeal to the Court competent to hear appeals from decisions passed by the same Court in regular suits. Such appeal shall be subject to the provisions of the Code of Civil Procedure relating to appeals from orders, and shall be heard and determined under the rules of the said Code relating to such appeals.

Foregoing provisions not to bar institution of suit on Bond, &c., after lapse of period indicated.

L. Nothing in the foregoing Sections shall be held to prevent the holder of any Bond or other obligation as aforesaid, for the payment of money, from instituting a regular suit on the same, subject to the Rules of Limitation for the time being in force, instead of applying for enforcement of the same under Section XLIV of this Act.

REGISTRATION OF WILLS, CODICILS, AND AUTHORITIES TO ADOPT.

Wills, &c.

LI. Any person wishing to register his Will, a Codicil to his Will, or any Instrument giving authority to adopt a son after his decease shall, either personally or by a duly authorized Agent, deliver such Will or Codicil, or such Instrument, in a sealed cover superscribed with the name of the depositor, and the nature of the Instrument, to a District Registrar, who shall, if such person be not personally known to him, satisfy himself of the identity of such person, or if such Will, Codicil, or Instrument be presented by an Agent, of the authority of such Agent as provided in Section XXXI of this Act.

LII. On receipt of such sealed cover superscribed as is above provided, and if satisfied as aforesaid, the District Registrar shall enter the same in the Register of Deposits of Wills, Codicils, and Instruments giving authority to adopt, transcribing therein the superscription on such sealed cover, and noting in the Register and on the cover the year, month, day, and hour of such receipt, together with the name of the depositor and the names of each of the persons testifying to the identity of such depositor, and shall then place such sealed cover in a fire-proof box to be supplied by Government for that purpose.

Entry in Register of Wills.

LIII. Whenever, on the death of any depositor of any such sealed packet, application may be made to the District Registar in whose Office such sealed packet was deposited to open such packet, such District Registrar, after satisfying himself that such depositor is dead, shall, in the presence of the person making such application, open such sealed packet, and shall enter a copy thereof, to be made at the expense of the applicant, in a Register of Wills, Codicils, and Instruments giving authority to adopt a son. The District Registrar shall thereupon re-deposit the original Will, Codicil, or Instrument, until required to produce the same in a Court of Justice, any copy made under the provisions of this Section, and certified by the District Registrar to be a true copy, shall be evidence of the contents of the Will, Codicil, or Instrument giving authority to adopt, of which it purports to be such copy.

Procedure on application to open sealed packet, consequent on death of depositor.

REGISTRATION FEES.

LIV. Subject to the approval of the Governor-General in Council, the local Government shall prepare a table of fees which shall be payable for the registration of Instruments under this Act, and may from time to time, subject to the like approval, alter such table. A table of fees so payable shall be exposed to public view in every Office established for the registration of Instruments under this Act, and no Instrument shall be accepted for registration until the fee so prescribed for registration of such Instrument shall have been paid.

Local Government to prescribe, subject to approval, the fees to be charged for registration.

LV. All fees received under the provisions of this Act (not being fees payable under Section X of this Act to Officers who are paid by fees) shall be remitted to the Collector's Treasury, or to such other Treasury as the local Government shall direct, under such rules as the local Government shall from time to time issue, and be credited to Government.

Disposal of Fees.

REGISTERS.

LVI. In every General Register Office, and in the Office of every District and Deputy Registrar, four Books shall be kept, which shall be entitled—

Register Books.

1.—Register of absolute transfers of immoveable property.

2.—Register of other transfers of immoveable property.

3.—Register of awards of arbitrations.

4.—General Register of all other Instruments for the registration of which provision is made in this Act, and the entry of which is not required to be made in such other Registers as are hereinafter provided.

LVII. All entries made in such books shall be numbered in a consecutive numerical series, which shall commence and terminate with the year, a fresh series being commenced at the beginning of each year. Whenever any Instrument for the registration of which application may be made, refers to immoveable and also to moveable property, it shall be entered in Book No. 4 and also in Book No. 1, 2, or 3, as the case may be.

Entries in Registers.

LVIII. At the close of each year, two Indices shall be prepared for each Register, one containing the name of every party to every Instrument registered, and the other in the case of immoveable property, containing the name of the village or place where the property is situate, together with a description of the property, and its name, and such other particulars and in such form as the Registrar-General shall from time to time prescribe under Section XIV of this Act.

Indices.

LIX. Every District Registrar shall, in addition to the books prescribed in Section LVI of this Act, keep two books, to be entitled—

Register of Wills.

Register of deposits of Wills, and Codicils to Wills, and Instruments giving authority to adopt a son as provided in Section LII.

Register of Wills, Codicils, and Instruments giving authority to adopt a son as provided in Section LIII.

LX. The Registers in the General Register Offices, and in the Offices of the District and Deputy Registrars, shall be at all times open to inspection by any person applying to inspect the same, and certified copies of any entry in such Registers shall be given to all persons applying for such copies. A fee, to be prescribed in the Table of fees prepared under Section LIV of this Act, shall be paid by any person applying to inspect any Register, before such Register is opened to his inspection, and a fee of one Rupee over and above the charge of making the transcript shall be paid by every person requiring a copy of any entry in any such Register. The charge to be made for making copies of entries in the Register shall be regulated from time to time by the General Register Office. Provided that the Registers to be inspected under this Section shall be only the Registers No. 1, 2, and 3 specified in Section LVI, and the Register specified in Section LIII.

Inspection of Register and fees for inspection and copies of entries.

MISCELLANEOUS PROVISIONS.

LXI. A registered Instrument shall operate from the time from which it would have commenced to operate if no registration had been required or made, and not from the time of its registration.

Time from which Instrument shall operate.

LXII. It shall not be necessary for any Officer of Government to appear in person for the purpose of registering any Instrument, but when any Instrument is executed by or on behalf of Government, or by any Board, Commission, Court, or Public Office on behalf of Government, the Deputy or District Registrar to whom such Instrument is presented

Registry of Instruments executed by, or on behalf of, Government.

for registration may, if he deem it necessary, refer to the Head Officer of the Board, Commission, Court or Office on whose behalf such Instrument was executed, for information respecting the same, and on being satisfied of the execution thereof shall register the same.

False statements to be dealt with as the offence of giving false evidence.

LXIII. If any person shall wilfully make any false statement in any deposition or declaration made by him before any Officer acting in execution of this Act, in any proceeding or enquiry under the provisions of this Act, he shall be deemed guilty of the offence of giving false evidence as defined in Section 191 of Act XLV of 1860. (The Indian Penal Code).

Limits of action in certain cases.

LXIV. No action on an Instrument of the nature of the Instruments specified in Sections XXI, and XXII of this Act which shall have been executed after this Act came into operation, and which, though it could have been registered in the manner provided by this Act, shall not have been so registered, shall be entertained, unless such action, if it relate to immoveable property, shall be brought within two years, or, if it relate to moveable property, within six months from the date when the cause of action arose. Provided that nothing in this Section shall authorize any Court to receive any unregistered deed the registration of which, to make it admissible in evidence, is required by this Act. This Section shall not apply to any Will, Codicil, or Instrument giving authority to adopt a son.

Special provision respecting Instruments affecting immoveable property within certain jurisdiction.

LXV. No Instrument which purports or operates to create, declare, transfer, or extinguish any right, title, or interest in any immoveable property situate within the local limits of the Ordinary Original Civil Jurisdiction of any Court established by Royal Charter shall be deemed invalid, nor shall any such Court or any other Court of Justice or Public Officer refuse to receive such Instrument in evidence, or to act thereon, by reason of such Instrument not having been registered under this Act, nor shall the provisions of Section XL of this Act apply to any decree or order passed by any Court of Royal Charter in respect of any Instrument relating to any property situated as aforesaid.

Provisions of Section LXIV of this Act not to apply in certain cases.

LXVI. The provisions of Section LXIV of this Act shall not apply to any suit brought in any Court established by Royal Charter in the exercise of its Ordinary Original Civil Jurisdiction, or to any appeal from any decision passed in any such suit, nor shall the provisions of the said Section apply to any suit brought in any Court of Small Causes situate within the local limits of the Ordinary Original Civil Juridiction of any Court established by Royal Charter.

Commencement of Act.

LXVII. This Act shall come into operation on the 1st day of May 1864.

M. WYLIE,

Deputy Secy. to the Govt. of India,
Home Department.

Government of Bengal.

LEGISLATIVE DEPARTMENT.

THE following Bill was read in the Council of the Lieutenant-Governor of Bengal for the purpose of making Laws and Regulations on the 7th March 1863, and was referred to a Select Committee who are to report thereon after the 11th April next:—

A Bill to create a Municipal Corporation and to provide for the Conservancy and improvement of the Town of Calcutta.

Preamble.

WHEREAS it is expedient to vest the property and the management of the Municipal affairs of the Town of Calcutta in a Corporation, and to make better provision for the Conservancy and improvement of the Town; It is enacted as follows:—

Laws repealed.

I. Acts XIV and XXV of 1856, so far as they relate to the Town of Calcutta, and Act XXVIII of 1856, are hereby repealed respectively, except so far as they repeal any other Act, and except as to any assessment which shall have been made, or to any act or offence which shall have been done or committed, or to any fine or penalty which shall have been incurred, or to any money which shall have become due, or to any proceedings which have been commenced before this Act shall come into operation. Any sum of money due, or which may become due under any or either of the said Acts, may be levied and recovered under the provisions of this Act.

Interpretations.

II. The following words and expressions in this Act shall have the meanings hereby assigned to them unless there be something in the subject or context repugnant to such construction:—

"Town."

The word "Town" shall include all places within the local limits of the original jurisdiction of Her Majesty's High Court of Judicature at Fort William in Bengal.

"The Justices."

The expression "the Justices" shall mean the Corporation of "the Justices of the Peace for the Town of Calcutta," and the expression "resident Justices" shall mean any person who, for the time being, shall be a Member of that Corporation.

"Street."

The word "Street" shall mean any road, street, square, court, alley, or passage, whether a thoroughfare or not, over which the public have a right of way, and also the roadway over any public bridge or causeway within the said Town.

"Land."

The word "Land" shall include messuages, buildings, tenements, and hereditaments of any tenure.

"Month."

The word "Month" shall mean calendar month.

"Oath."

The word "Oath" shall include any affirmation or declaration lawfully substituted for an oath.

"Magistrate."

The word "Magistrate" shall mean any Magistrate of Police acting for the Town of Calcutta.

"Owner."

The word "Owner" shall mean the person for the time being receiving the rent of the land or premises in connection with which the word is used, whether

on his own account or as agent or trustee for any other person, or who would so receive the same if such land or premises were let to a tenant. Provided that no person receiving the rent of land or premises as agent for another person shall be liable to do anything by this Act required to be done by the owner of such land or premises, unless he have sufficient funds of the owner to pay for the same; nor shall he be subject to any penalty for omitting to do such act if he can prove that the default was occasioned by reason of his not having funds of the owner sufficient to defray the expense of doing the act required.

"Person." The word "Person" shall include a corporation.

Number. Words importing the singular number shall include the plural number; and words importing the plural number shall include the singular number.

Gender. Words importing the masculine gender shall include the feminine.

The Justices of the Peace in Calcutta to be a Corporation for purposes of this Act.

III. All Justices of the Peace for the time being resident in the Town of Calcutta shall, by the name of "The Justices of the Peace for the Town of Calcutta," be a body corporate and have perpetual succession and a common seal, and by such name shall sue and be sued.

Property now vested in Municipal Commissioners shall vest in the Justices.

IV. All property, moveable and immoveable, acquired, before the passing of this Act, by the Municipal Commissioners for the Town of Calcutta appointed under Act XXVIII of 1856, and now vested in them, or in any person in trust for them, shall, upon the coming of this Act into operation, vest in the Justices as Trustees for the purposes of this Act.

Municipal Fund. All monies received by the Justices by virtue of this Act, or of any other Act, all fines, fees, and penalties paid or levied under this Act, and all monies which may be assigned by Government for purposes of Conservancy and improvement in the said Town, shall constitute a fund, which shall be called the Municipal Fund of Calcutta, and shall, together with all property, of what nature or kind soever, which may become vested in the Justices, be under the direction, management, and control of the Justices in the manner hereinafter provided, and shall be applied to the purposes of this Act and of any other Act which hereafter may be in force for the Conservancy or improvement of the Town of Calcutta.

Appointment and removal of Chairman of Corporation.

V. The Lieutenant-Governor of Bengal shall, from time to time, appoint one of the said resident Justices to be Chairman of the Justices. Such Chairman shall be removeable from office by the Lieutenant-Governor if his removal be applied for by not less than two-thirds of the said resident Justices in a requisition addressed to the Lieutenant-Governor and signed by them, but not otherwise.

Nomination and appointment of Vice Chairman.

VI. The Justices at a meeting shall, before the day of next, nominate one of the said resident Justices to be Vice-Chairman of the said Corporation. Such nomination shall be subject to the approval of the Lieutenant-Governor of Bengal; and in the event of any nomination made by the Justices not being approved of by him, or of any vacancy occuring in the office of Vice-Chairman, the Justices shall forthwith proceed to make a fresh nomination, and so on, from time to time.

Appointment of Secretary, Surveyor, Engineer, Health Officer, and Assessor

VII. It shall be lawful for the Justices at a meeting, from time to time, to appoint proper persons to the several Offices of Secretary, of Surveyor, of Engineer, of Health Officer, and of Assessor for the Town of Calcutta. Every person so appointed, and every Vice-Chairman, shall be, in all things, under the immediate orders of the Chairman, and shall perform such duties as shall be assigned by him, and shall be removeable by the Justices by a resolution passed at a special meeting and in favor of which not less than two-thirds of the resident Justices shall have voted.

Chairman and Vice-Chairman to reside in Calcutta and not to engage in any other profession or trade.

VIII. Every Chairman and Vice-Chairman shall reside within the Town of Calcutta, and shall devote his whole time to the duties of his office; and no Chairman or Vice-Chairman shall have or engage in any other profession, trade, or business whatsoever; provided that nothing in this Act shall be

Proviso. deemed to prevent any Civil or Military Officer in the service of Government from holding the office of Chairman or Vice-Chairman so long as such Officer shall fill no other appointment; provided further, that it shall be lawful for any Chairman or Vice-Chairman to hold also the office of Commissioner of Police or Deputy Commissioner of Police for the Town of Calcutta if he shall be appointed to such office by the Lieutenant-Governor of Bengal.

Allowances of Chairman and Vice-Chairman.

IX. The Chairman and the Vice-Chairman respectively may receive such allowances out of the funds to be raised under this Act as shall be from time to time fixed by the Justices at a meeting. Provided that such allowance for any Chairman shall not exceed the rate of three thousand Rupees a month (exclusive of house rent), and that such allowance for any Vice-Chairman shall not exceed the rate of twelve hundred Rupees a month.

Salaries of Secretary, Surveyor, &c.

X. Every Secretary, Surveyor, Engineer, Health Officer, and Assessor, appointed as hereinbefore provided, may receive such allowance out of the funds to be raised under this Act as shall be from time to time fixed by the Justices at a meeting with the sanction of the Lieutenant-Governor of Bengal.

Appointment and remuneration of Overseers, Clerks, and Subordinate Officers.

XI. The Chairman may from time to time appoint all such Overseers, Clerks, and subordinate Officers and servants as he shall think necessary and proper to assist in the execution of this Act, and may from time to time remove any of such persons and appoint others in their place; and out of the funds applicable to the purposes of this Act he may, with the sanction of the Justices at a meeting, pay such allowances to the said persons respectively as he shall think reasonable. Provided that no person shall be appointed to, or removed from, any office the monthly salary of which exceeds two hundred Rupees, without the sanction of the Justices at a meeting.

Justices to grant leave of absence, &c., with sanction of Government.

XII. It shall be lawful for the Justices, with the sanction of the Lieutenant-Governor of Bengal, to grant such leave of absence to any Chairman or any Officer appointed under Sections VI or VII of this Act, and to make such arrangements for the carrying on the duties of his office during his absence on leave as shall to them seem proper; and it shall also be lawful for the Justices, with the like sanction, out of the funds applicable to the purposes of this Act, to pay to any Chairman or other Officer aforesaid such allowance during absence on leave as shall to them seem proper; provided that no greater expenditure from the funds shall be in any case incurred in the whole, by reason of any allowance paid under this Section, than would have been incurred had no leave been granted; provided also that nothing shall be done or resolved by the Justices under this Section except at a special meeting.

Proviso.

At Meetings of the Justices questions to be decided by majority of votes. Chairman or Vice-Chairman to preside and have casting vote.

XIII. All acts authorized or required to be done by the Justices, and all questions that may come before the Justices for decision, shall, save as is herein otherwise provided, be done and decided by the majority of the resident Justices present at any meeting held in pursuance of this Act, the whole number present at the meeting not being less than five, exclusive of the Chairman and of the Vice-Chairman. It shall be the duty of the Chairman and of the Vice-Chairman to attend all such meetings, unless prevented by sickness or other unavoidable cause; and the Chairman, or in his absence the Vice-Chairman, shall be President, and shall have a second or casting vote in all cases of equality of votes.

No business to be transacted at a Meeting unless Chairman or Vice-Chairman is present.

No business shall be transacted at any meeting at which neither the Chairman nor the Vice-Chairman is present, but the meeting shall be adjourned by the Senior Justice present, to such time as may seem to him fit.

Minutes of Proceedings of Justices to be kept, and to be open to inspection.

XIV. Minutes of the Proceedings of all Meetings of the Justices shall be drawn up, and fairly entered in a book to be kept for that purpose, and shall be signed by the President after each Meeting, and the said Minutes shall, at all reasonable times, be open, at the Office of the Justices, to the inspection of any of the said resident Justices without charge, and of any other person on payment of a fee of one Rupee.

Notice of all Meetings, except those held quarterly, to be given by Chairman or Vice-Chairman.

XV. Previous to any Meeting of the Justices held by virtue of this Act, save the quarterly Meetings hereinafter mentioned, a notice of the time and place of such intended Meeting shall be given seven clear days at least before such Meeting, by advertisement signed by the Chairman, or, in his absence, by the Vice-Chairman, and inserted in the Government Gazette and in at least one of the daily newspapers published in Calcutta.

Chairman or Vice Chairman to cal Meetings as often as he thinks proper; and also at the requisition of ten Justices.

XVI. The Chairman, and, in his absence, the Vice-Chairman, shall have power to call a Meeting of the Justices as often as he shall think proper, and shall be bound to call a Meeting on a requisition signed by ten resident Justices at the least and requiring him to do so. In every case in which a Meeting is called, a summons to attend it, specifying the business proposed to be transacted thereat and signed by the Chairman or the Vice-Chairman, as the case may be, shall be left at the usual place of abode of every Justice resident in the Town seven clear days at least before such Meeting; and no business shall be brought before or transacted at the Meeting other than is specified in the notice.

Quarterly General Meetings to be held in January, April, July, and October.

XVII. There shall be four Quarterly Meettings in every year, at which the Justices shall meet for the transaction of general business. It shall not be necessary to give any notice of the business to be transacted at such Quarterly Meetings, and they shall be holden at noon on the first Monday in the months of January, April, July, and October respectively, or if any such Monday shall happen to be a holiday, then on the next succeeding day which shall not be a holiday.

Chairman or Vice-Chairman to sit daily for transaction of business and to exercise the powers of the Justices.

XVIII. The Chairman or Vice-Chairman shall, except upon such holidays as shall be allowed by Government, sit daily for the transaction of business connected with or arising under this Act, and, when so sitting, shall have all the powers vested by this Act in the Justices; and they may respectively exercise the like powers at all times in carrying out the orders of the Justices, or in executing any works sanctioned by them, and generally in the management of the business aforesaid. Provided that it shall not be lawful for the Chairman or Vice-Chairman to act in opposition to, or contravention of, any order of the Justices, or to exercise any power which it is by this Act expressly declared shall be exercised only by the Justices at a meeting.

Justices may appoint Committees.

XIX. It shall be lawful for the Justices at a meeting, from time to time, to appoint from among the resident Justices such and so many Committees, either of a general or of special nature, and consisting of such number of persons as they may think fit, for the purpose of reporting upon any matter connected with the Conservancy or improvement of the Town, or of advising and aiding the Chairman in the discharge of any portion of his executive duties, which, in the discretion of the Justices, would be better regulated or managed with the advice and aid of any such Committees; provided that the Chairman or the Vice-Chairman shall be a Member of every such Committee, and that the proceedings of every such Committee shall be submitted to the Justices at a meeting for their approval.

Proviso.

Budget Estimates of Income and Expenditure to be submitted annually to the Justices.

XX. At the first quarterly meeting held under this Act the Chairman shall lay before the Justices a Budget or Estimate prepared by him of the expenditure and income of the Municipality

from the date on which this Act shall come into operation up to the first subsequent day of May: and at the quarterly meeting to be held in the month of April in each year, the Chairman shall lay before the Justices a Budget or Estimate prepared by him of the expenditure and income of the Municipality for the financial year commencing on the 1st of May then next succeeding, in such detail and form as the Justices shall from time to time by order passed at a quarterly meeting direct. Provided always that such Budget shall be completed and printed, and a copy thereof sent to each of the Justices resident in Calcutta at least fourteen days before the meeting before which the Budget is to be laid.

The Budget of Expenditure to be divided into two parts.

XXI. The Budget shall shew what expenditure it is proposed to incur during the period to which it relates, and the manner in which it is proposed to meet such expenditure. The Budget of expenditure shall be divided into two parts; the first part shall be termed the Budget of Obligatory Expenditure; and the second part shall be termed the Budget of Optional Expenditure.

Budgets of Obligatory and Optional Expenditure what to contain.

XXII. The Budget of Obligatory Expenditure shall contain the estimated charges for the following Municipal services:—

Salaries.
Contingencies.
Maintenance and repair of existing works.
Execution of works already sanctioned at any Special or quarterly meeting.

The Budget of Optional Expenditure shall contain all other estimated charges.

Estimate of Income how to be divided, and what to contain.

XXIII. The Estimate of income shall be divided into two parts; the first part to be termed the Estimate of Ordinary Revenues; the second part to be termed the Estimate of Extraordinary Revenues.

The Estimate of Ordinary Revenues shall contain the estimated income from the following scources:—

Taxes absolutely fixed by Acts of the Legislature.
Taxes levied under authority of the Justices specially appropiated for the general charges or for particular objects.
Miscellaneous sources of Revenue specially appropriated for the general charges.

The Estimate of Extraordinary Revenue shall contain the estimated income from special rates and all other sources.

Revision and passing of Estimates.

XXIV. It shall be in the discretion of the Justices to pass or to reject, or to modify, the Estimates of all sums entered in the Budget: and it shall be lawful for the Lieutenant-Governor of Bengal to reduce the Estimate of Expenditure, whether Obligatory or Optional, if and as he shall think proper; and no work or

No work, the estimated cost of which exceeds 50,000 Rs., to be commenced without sanction of Government.

or series of works, the entire estimated cost of which, as shewn in the Budget, shall exceed fifty thousand Rupees, shall be commenced without the sanction of the Lieutenant-Governor having been first obtained.

Mode of fixing the rate at which taxes shall be levied under this Act.

XXV. At the first quarterly meeting held under this Act the Justices shall fix the rates at which such taxes as are leviable under this Act shall be levied, from the date on which this Act shall come into operation, till the first day of May next ensuing; and at the quarterly meeting to be held in the month of April in each year the Justices shall fix the rates at which such taxes as are leviable under this Act shall be levied for the year commencing on the first day of May then next ensuing. The rates so

Such rate not to be altered except at a Special Meeting.

fixed shall not be altered before the quarterly meeting held in the next succeeding month of April, except by a resolution passed by the Justices at a special meeting at which not less than two thirds of the resident Justices shall be present and vote.

Tax on carriages horses, &c.

XXVI. A tax, at a rate not exceeding the rates specified in the Schedule (A) to this Act annexed, shall be imposed upon all carriages, horses, ponies, and mules kept or used within the said Town, and shall be payable in advance. Provided that this Section shall not apply to or include,—Gun Carriages, or Ordnance Carts or Wagons: Cavalry horses, or horses of the Mounted Police: horses belonging to Officers doing Regimental duty at the Presidency, at the rate of one horse for each Officer: Conservancy carts, horses, ponies, or mules belonging to the Justices: or vehicles kept for sale, and not used for any other purpose, if kept by *bonâ fide* dealers in such vehicles.

Owners of carriages, &c., to take out license.

XXVII. The owner of every carriage, horse, poney, or mule so kept or used shall, on or before the 30th day of April and the 31st day of October in each and every year, forward to the Office of the Justices an application in writing signed by him, and containing a description of the vehicles and animals liable to the tax for which he desires to take out a license. The owner shall at the same time pay to the Justices such sum as shall be payable by him for the half-year commencing on the 1st of May or the 1st of November then next (as the case may be), for the vehicles and animals specified in such application, according to the rates given in the said Schedule. Any person becoming possessed, between the 30th day of April and the 31st day of October, or between the 31st day of October and the 30th day of April, of a carriage, horse, poney, or mule so kept or used, shall, within a week of becoming so possessed, send to the Office of the Justices a similar application, together with the full amount payable for the then current half-year according to the said Schedule, unless he shall be able to prove to the satisfaction of the Justices that the tax for the half-year has previously been paid.

On payment of the tax the Justices to give a license.

XXVIII. On receiving an application and the amount of tax as aforesaid the Justices shall give to the person forwarding the same a license for the vehicles and animals in respect of which the money is received. The owner of every carriage, horse, poney, or mule who shall have received a license for the amount of tax paid by him for any half-year, shall at all times during that half year be bound to produce the same when called upon to do so by the Justices or any person duly authorised by them to demand its production.

XXIX. If the owner of any carriage, horse, pouey, or mule so kept or used as aforesaid shall not have in his possession a license granted under the last preceding Section, he shall, on conviction before a Magistrate, be liable to a fine not exceeding five times the amount of the tax which would have been payable by such person supposing him to have duly paid the same as soon as it became due; and the Justices or any Officer duly authorised by them may seize or cause to be seized any such horse, poney, mule, or carriage (provided the same be not employed at the time of seizure in the conveyance of any person), together with the horse, poney, or mule drawing the carriage, and may deliver them over to the Police, and all Police Officers are hereby required, on the application of the Justices or their Officers as aforesaid, to seize and detain the same. If the carriage, horse, poney, or mule seized be not claimed, and if the fine be not paid within ten days, it may be sold by auction by order of the Magistrate, and the proceeds applied to the payment of the fine and to the costs and charges incurred on account of the detention and sale; and the surplus (if any), if not claimed by the owner within a further period of twenty days, shall be paid to the Justices.

Penalty for keeping a carriage, &c., without having a license.

XXX. The Justices, at their discretion, may compound, for any period not exceeding one year, with livery stable-keepers and other persons keeping carriages and horses for hire, for a certain sum to be paid for the carriages and horses so kept by such persons in lieu of the taxes specified in the Schedule.

Justices may compound with Livery Stable keepers and others.

XXXI. The Justices shall, from time to time, cause to be prepared and entered in distinct columns, in a book to be kept at the Office of the Justices and to be open to the inspection of any person who shall apply for leave

List of persons liable to the horse and carriage tax to be entered in a book.

XXXIV. The registration of carts and hackeries under the last preceding Section shall be made and the numbers assigned annually upon such day in each year as the said Justices shall appoint, and a fee of six Rupees shall be paid for each registration. Any person becoming possessed within the year of any such cart or hackery which has not been registered, may obtain registration on application to the Justices at their Office and on payment of the said fee of six Rupees. When any registered cart or hackery is transferred within the year, it shall be registered anew in the name of the person to whom it has been transferred, and a fee of four annas shall be paid for every such last-mentioned registration.

Fee for registration.

XXXV. Whoever keeps any cart or hackery required by this Act to be registered, without being so registered, shall, on conviction before a Magistrate, be liable to a fine not exceeding five times the usual registration fee: and the Justices or any Officer duly authorized by them may seize or cause to be seized any such cart or hackery (provided the same be not employed at the time of seizure in the conveyance of any passengers or goods), together with the horses, bullocks, or other animals drawing the same, and may deliver them over to the Police: and all Police Officers are hereby required, on the application of the Justices or their Officers as aforesaid, to seize and detain the same. If the vehicle seized be not claimed, and if the fine be not paid within ten days, such vehicle, together with the animals seized with it (if any), may be sold by auction by order of a Magistrate, and the proceeds applied to the payment of the fine and to the costs and charges incurred on account of the detention and sale; and the surplus (if any), if not claimed by the owner within a further period of twenty days, shall be paid to the

Penalty for not registering a Cart or Hackery.